

Wallingford Inland Wetlands & Watercourses Commission

Regular Meeting
Wednesday, November 5, 2025, 7:00 p.m.
Robert F. Parisi Council Chambers
Second Floor, Town Hall
45 South Main Street, Wallingford, CT

MINUTES

Chair James Vitali called this Regular Meeting of the Wallingford Inland Wetlands and Watercourses Commission to order on Wednesday, November 5, 2025, at 7:01 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, and Alternate Commissioners Aili McKeen and James Heilman, and Erin O'Hare, Environmental Planner, and Commissioner Mrs. Caroline Raynis joined the meeting at 7:07 p.m.

ABSENT: None.

There were 4 persons in the audience.

A. PLEDGE OF ALLEGIANCE

The Pledge was recited.

B. ROLL CALL

As above.

C. CONSIDERATION OF MINUTES

1. Regular Meeting, October 1, 2025

MS. PHILLIPS: **MOTION THAT THE MINUTES OF THE REGULAR MEETING OF OCTOBER 1, 2025, BE ACCEPTED WITH THE CORRECTIONS TO BOLDFACE AND UNDERLINE THE MOTIONS AND TO CORRECT THE SPELLING OF MR. NECIO'S NAME AND ANY OTHER MISSPELLINGS THROUGHOUT.**

MR. NECIO: **SECOND.**

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

Chair Vitali stated that the voters tonight will be the five Regular Members.

D. OLD BUSINESS

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

Ms. O'Hare said, This is not ready to be released.

2. #A24-2.1 / 155 East Street - Ferti Management Corp. - (bond release)

Ms. O'Hare said, This is ready to be released.

MS. PHILLIPS: **MOTION ON APPLICATION #A24-2.1 / 155 EAST STREET - FERTI
MANAGEMENT CORP. THAT THE BOND WILL BE RELEASED.**

MR. NECIO: **SECOND.**

There was no discussion.

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

**3. #A25-9.1 / 4 Kazersky Drive - Nathan Myers - (deck) Request for Administrative Approval
- *Granted administrative approval 10/2/25***

Chair Vitali stated he had reviewed this with Ms. O'Hare, and he granted this approval.

Commissioner Mrs. Raynis joined the meeting at this time, 7:07 p.m..

4. #A25-9.2 / 25 Dana Boulevard - Dominick Serignese - (construction of patio facility)

Appearing were Applicant Mr. Dominick Serignese and Mr. Dylan LaPlace of Torrison Stone & Garden in Durham.

Mr. LaPlace said, The client came to me. There is an existing deck where there was an above-ground pool--it's removed. We'd remove the existing deck and install two patios to expand outdoor living space. There will be a series of retaining walls, a pergola, and a fireplace. The base for all patios will be permeable so water can infiltrate into the ground, minimizing impact to the wetlands.

Chair Vitali asked, You're in the Upland Review Area?

Mr. LaPlace said, Correct. Roughly 80% of our work is in the Upland Review.

Ms. O'Hare said, My Environmental Planner's Report went out Friday. As far as the patio installation, I have no issue with that. It does come a little close to the wetland line, but to fit construction equipment through I think it will be fine. There are other issues on this property.

Chair Vitali asked, How do they affect the wetlands situation?

Ms. O'Hare said, As in my report, I went out and I was shocked to see that the wetlands had been clear-cut. I had been out there about 7 years ago for the former owner. At that time, that owner had an above-ground pool and he wanted to take down some trees. I said, "Well, you can apply, but I don't think the Commission would want you to remove trees in a wetland. And, in your case, it is a Conservation-restricted wetland." This was part of the Wallingford Chase Terrell Farm subdivision in 1990, approved as a 79-lot subdivision. Then, it was felt that some of these lots should be not small but bigger because the rear of the lots was wetlands. So it was decided just to put a Conservation Easement restriction on the rear of these lots in the wetlands, so that the owners will keep the wetlands intact. I attached a drawing, showing how five lots come together. There's a Conservation Easement on top of all the wetlands. However, I feel comfortable saying to the Commission you can move forward tonight if you want to, because the Law Department has said there's two issues. One is improvement of their yard with this patio, and the other is the violation. The Town Attorney said they should be handled as two different matters because the violation was by a previous owner. So we're going to work that out later.

Chair Vitali said, So the Commission will handle just the patio, is that agreeable? So you have no issues with the way the patio is drawn, and everything's under control?

Ms. O'Hare said, No, I have no issue with it.

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

Commissioner Necio said, Mr. Chairman, I'm going to recuse myself from this vote.

Chair Vitali said, O.K. Then I will select Jimmy to vote on your behalf.

Commissioner Heilman agreed to vote.

MS. PHILLIPS: MOTION THAT APPLICATION #25-9.2 / 25 DANA BOULEVARD - DOMINICK SERIGNESE - THE REMOVAL OF THE POOL DECK AND CONSTRUCTION OF PATIO FACILITY BE DEEMED NOT A SIGNIFICANT IMPACT ACTIVITY.

Chair Vitali called for a Second.

MR. CARUSO: SECOND.

Chair Vitali asked, Is there any further discussion? O.K. Then I'll call for a vote.

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

Chair Vitali said, Now I'll entertain a Motion to Approve or Deny.

MS. PHILLIPS: MOTION THAT APPLICATION #A25-9.2 / 25 DANA BOULEVARD - DOMINICK SERIGNESE - REMOVAL OF THE POOL DECK AND CONSTRUCTION OF PATIO FACILITY BE APPROVED AS SUBMITTED.

MR. CARUSO: SECOND.

Chair Vitali asked for discussion, and there was none.

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

Note: Mr. Necio resumed participating and voting at this time.

E. NEW BUSINESS - There was no New Business.

F. RECEIPT OF NEW APPLICATIONS

- 1. #A25-10.1 / 1175 South Broad Street - Joe Lincoln and Cheyenne Santiello - (live-work unit and associated improvements by ravine)**

Chair Vitali formally received this Application #A25-10.1 to be on the December 3 agenda.

Ms. O'Hare asked whether the Commission would want to take a site walk of this property. The Applicants have been trying to get the Application in since March. This property has a unique character where they're proposing a structure rather close to the ravine. I think it's important to see it and judge it. The south front portion of the ravine is less than 50% grade. But the northern part is 70% grade. In the southern part, the Upland Review boundary would be 50 feet back, regular. In the northern part, it would be 50 feet back from the crest of the ravine, which sends it way back. So they're allowed to try to get a permit.

Chair Vitali asked, They have a topo map. Jimmy, what were the measurements on that? It didn't start at the top of the slope. It started halfway up or something.

Commissioner Heilman said, Actually, it was the slope itself. If it was in the boundary of the Wetland Upland Review Area, it forced the origins of the Upland Review to begin at the top of the slope and count from there back 50 feet.

Chair Vitali said, From the top. I wasn't sure if it was from the top or halfway back, or something.

Ms. O'Hare said, Right. And the drawing is in the Regulations. It is kind of confusing, but we have that little diagram.

Chair Vitali asked, Are they satisfying that regulation?

Ms. O'Hare said, That's the Upland Review Area. So they don't have to stay out of it. They've applied to come quite close to the ravine. It's considered Upland Review Area; it's not a no-go zone. Applicants are allowed to try to get a permit. The Commission has the right to try to move it back X amount of feet from the ravine. Or, you might want to put up a berm or vegetation.

Chair Vitali asked, Are you accurate on your north and south descriptions of the property? I thought the southern part of the property had the steeper ravine.

Ms. O'Hare said, No. Yes, I'm accurate. I've been out there twice. The northern part is steeper at 70%, and the southern part is from 45% to 35%. They have a topo map.

Commissioner Heilman said, You can see it on the topographic map. At one point where the drainage occurs, there's an area where it drops 16 feet over a 20-foot distance. So that area is just about at the boundaries of a 45% slope. But going north, where they want to have the activity, that's where the slope would require them to extend the Upland Review. It's important: It doesn't require us to disallow it--it only requires us to look at it to see if it's O.K. to do. That depends on whether we'd want to look at the site and say the erosion would be a very serious concern, with what's below. That's where you have to make an assessment of what damage could it potentially do. It's the potential damage that we're here for, before it happens. I'd say the wetland area here is highly contained. But how much do you want to have damage it? I'd go see.

Chair Vitali said, I have no problem. But the way she described it, I felt it was wrong. She's talking about the northern end of the slope being steeper than the southern end of the property.

Commissioner Heilman said, That's what the contour lines are showing on the map. When the lines get closer, that is an indication of steepness. The farther apart they are, the more gentle the slope.

Chair Vitali said, I think the only wetland you have is the brook, which is sitting on bedrock. I do know this pretty well. The ravine, where the driveway goes, you don't want to step off. Does the Commission want to have a site walk? Or go out there by yourselves? It would have to happen next week.

The Commissioners decided to meet at the property for a Site Investigation on Tuesday, November 11, at 4:30 p.m. Ms. O'Hare will post the site investigation walk as a Special Meeting. She will tell the Owner.

Commissioner Kern asked, If we give permission to go that close to the edge of the bank, are we liable for it?

Ms. O'Hare said, I don't think so.

G. REPORTS & COMMUNICATIONS

1. Discussion of proposal to adopt fines for violations

Ms. O'Hare reported, I have fines that other towns charge.

There was no discussion on this item tonight.

2. Farm Hill Road Detention Basin.

Ms. O'Hare indicated the Town Planner has been tasked with this.

3. IWWC application form revision. Not discussed.

Chair Vitali requested to go out of order to Agenda Item I. Violations.

I. VIOLATIONS - pending (no action requested at this time)

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

Ms. O'Hare said, We met with the prospective owner, but it is not sold yet. It's not completed.

There was no discussion on any of the following items:

- 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; remediation planting plan approved 6/5/24 pending Installation**
- 3. 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**
- 4. Cease & Correct Order Remains - 67 Schoolhouse Road - Karl Kieslich - (new filling over prior filling) issued 4/25/23**
- 5. 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**

MS. PHILLIPS: **MOTION THAT ALL THE ITEMS IN VIOLATIONS SECTION I. REMAIN IN EFFECT.**
MR. NECIO: **SECOND.**
VOTE: **MR. KERN - YES; MS. PHILLIPS - YES; MR. CARUSO - YES; MR. NECIO - YES; CHAIR VITALI - YES.**

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

- 1. 360 Woodhouse Avenue - Nerio Tello - (structures, depositions, and ditching in wetlands) - Letter regarding violations - issued 5/28/24**
- 2. 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) - issue 4/15/25**
- 3. Cease & Desist Order (Amended) - 360 Woodhouse Avenue - Nerio Tello - (new unpermitted activities & noncompliance with permit &, etc.) issued 5/30/25; Hearing 6/4/25; Amended 7/30/25 & 10/1/25**

Appearing were Ms. Aricela Tello and Mr. David Lord with Soil Resource Consultants of Meriden. The Owner, Mr. Nerio Tello, was in the audience.

Ms. Tello handed out new information sheets to the Commissioners and Ms. O'Hare.

Chair Vitali said, I want you to know I'm allowing this information to be handed out tonight because it comes under a Violation rather than an Application.

Commissioners individually reviewed the new handout.

Mr. Lord said, On September 24 I visited the site and looked at the existing conditions. I reviewed the Application file and the structures that exist. How does the Commission want to proceed? I can talk regarding the 10/14 Cease & Desist Amended Decision.

Chair Vitali said, I don't think too much is going to be decided tonight. Yes, Sir?

Mr. Lord said, Good evening, Mr. Chairman, Members of the Commission. I've been retained by the landowner on the 24th. I visited the site for the first time, since the previous iteration with this Commission, approximately five days later. I reviewed the Application file and the documents in effect. I'm not sure how the Commission wants to proceed. I can talk in regard to the elements summarized in the October 14th Cease & Desist Order amended decision. Or I can respond to questions.

Chair Vitali said, I think that the violations associated with this property got voted on last time--starts with the chicken coop. That was voted back in June or earlier to be removed from wetlands. O.K., so that hasn't been done.

Mr. Lord said, Correct.

Chair Vitali said, So then he received the permit for a pool, which included so many feet of patio.

Mr. Lord said, To be honest, I'm not that familiar with it.

Chair Vitali said, He's got a permit for a pool and a patio and a fence.

Mr. Lord said, Yes.

Chair Vitali said, And then when he put the patio in, he multiplied that distance by 10 times. He got a permit for a pool house, so many square feet, and he doubled the size of the pool house. So we threw out what permits he had. Really, he disregarded them, and went about his business and did whatever he wanted to do. Now the drainage situation is associated. It looked like there was a swale, if I recall, created and piping running water and sending water down the stream to the adjacent property. And we had testimony that that, at one point, was a problem on Woodhouse Avenue--that stream, not necessarily totally caused by this, but there was a problem.

Mr. Lord said, Yes, I've seen that ditch.

Chair Vitali said, So I don't know what you're going to tell us because we saw your maps from previous application--and he's in the Upland Review and he didn't do what he had a permit for. And that's a the problem. I don't know if he needs a wetland person or an attorney or engineer. He needs to--who knows?--create a retention pond. It's just the way that it's done and how. It's not acceptable to the Commission. We're not questioning your wetland flagging.

Mr. Lord said, I understand that, and I understand my limitations because I am still reading the file, all the information and doing assessment/site investigations to make the determinations to come up with conclusions. What I do have for the Commission tonight is several points that are contained in the October 14th Cease and Desist Order that, again, we're going to say are going to be followed immediately. The first of those is the removal of those two buildings, the chicken coop and the shed building, which, in my file, was approved to be relocated in August of last year.

Ms. O'Hare said, Yes.

Mr. Lord said, And, shortly after that, I dropped off any connection with the project. I'd drive by and see the sheds were still there. I wasn't aware that other things were going on. So I'll just again state for the record: I've talked with Mr. Tello, and he is in the process of starting to remove the chicken coop and the shed structure out of the wetlands, to replace them in the grass lawn area that was shown in detail back in 2024 of August in my reports and the like. So I will be following up with Mr. Tello about getting that done.

Chair Vitali said, Good.

Ms. O'Hare asked, Mr. Chairman, that's good news. But I just want to point out a little housekeeping. Previously, it was stated that Mr. Tello would need a permit, that he'd have to apply with a permit and show the location where he wanted to put those units. But now, I guess I need clarification. I think David Lord was saying within the Upland Review. Are you saying, David, totally outside the wetland jurisdiction line or within the Upland Review Area?

Mr. Lord said, I'm saying we're going to move the structures outside of the wetland, basically in--

Chair Vitali asked, Well, do you have that from your August of a year ago meeting? Is it on a map?

Mr. Lord said, Yes, from August of 2024 I have those locations identified. I have photographic reference.

Chair Vitali said, You--you should have that from--

Ms. O'Hare said, Yes, absolutely. But now--

Chair Vitali asked, Where is it now?

Ms. O'Hare said, What the issue is at the last meeting, and the last two meetings--several meetings, this Commission said, "No, no. You've got to get it out of our jurisdiction. We don't want that coop and that shed in the Upland Review Area. You had your chance to put it there--as David Lord represented now and last summer--the previous summer-- to put it there. But, no. You've over stepped the bounds. You've kept on going. So, no." And you voted to get it out. So--but we can amend that Order, and now he could put it in there. You'd have to amend. As Commissioner Kern was fully aware, you were very adamant about that--but we can amend that.

Commissioner Kern said, Well, no. We wanted them both--We didn't want them in the Upland Review Area. We didn't want them in the wetlands. What is this, Erin? I can't even see it.

Ms. O'Hare said, I have a few bigger copies.

Chair Vitali said, Let's see where this is going. Because this may not even be of any value--you may be given a full set of plans with some more information on it.

Ms. O'Hare said, This is the same plan you got in your packet, it's just a little bigger. What I'm holding in my hand basically shows, from the Juliano office, their ideas of where to redirect stormwater. It doesn't show the coop being moved at all.

Ms. Tello said, Correct. The only thing that's changed is the redirection of the water by the garden and the shed.

Commissioner Kern said, We've danced around this for over year on what needed to be done, and we were going nowhere. So we decided to get them both out of our jurisdiction and then start from there, because--and then there's a drainage pipe that drains that wetland area behind the house and runs out to Woodhouse Avenue. It's in red on this print. They need some guidance on what needs to be done and in the sequence it should be done. So I don't know if you can help them with that?

Mr. Lord said, Yes, that's further down on the list that I'm going to be talking about. Juliano's office is working on the computations and the engineering necessary to support what is being proposed to be done. I understand, and correct me if I'm wrong, there is a plan alternative to take that drainage water and move it around the north side of the existing house and discharge it to the intermittent watercourse channel that runs parallel to Woodhouse Avenue--again, north of the existing house and westerly to that watercourse channel. That's the intended goal. I believe the discharge drainage that became the issue was the one that's in existence and was directed southerly from the driveway between an existing garden and the shed structure. That's not what we are proposing. We're going to take it through the Upland Area and take it down along the north side of the property and connect it to the watercourse channel there. That will give us a greater-capacity discharge soil because it's a stable, flat-bottom, drained intermittent watercourse channel to receive that water.

Mr. Lord continued, The water that's going to be coming out of there is not the same as what you see from a storm-related discharge point, where you have an intensive storm on an impervious surface and you collect a lot of water in a drainage pipe and you discharge it. This is groundwater that we would be collecting along the east side of the existing pool structure--at a reasonable depth, 3 to 4 feet--I'm going a little bit out of my area. But that volume of water is to keep the area around the pool dry, so you don't have hydrostatic lift of the pool structure from water that collects underneath it. We have soils which have hardpan conditions. Water does not go vertical past the upper 3 to 4 feet, at the most. It tends to travel laterally. We're going to collect that water to protect the structure of the pool and discharge it north and west along the north side of the house.

Commissioner Kern said, So what you're saying is you're going to drain the wetlands behind?

Mr. Lord said, No.

Commissioner Kern asked, How do you stop it from draining the wetlands?

Mr. Lord said, The soils that we have here are not going to be drained by the drainage pipe we're talking about. These are tight soils; they do not have good internal drainage. If you're out on the site during a rainstorm, the water does not soak into the ground. It moves laterally. And the overall overland flow in the wetland behind this property is southerly to southwesterly, in that tall grass area. The drainage that's here is going to pick up the immediate area of the pool and convey that out. It's not going to affect that distance between where the drainage material--not a pipe, the drainage material--is, and the wetland is not going to have an effect on drying out that wetland system. It just doesn't work in these kinds of soils.

Chair Vitali said, O.K., continue on.

Mr. Lord said, The removal of the hot tub in the eastern 25-foot section of patio is being worked on to calculate and how it's going to be changed from its present condition. We'll have that in the future. We have to do more measurements and determinations, both myself and Julianio's office.

Ms. O'Hare, Mr. Chairman, I just realized the order David's going in. He's reading off the Cease & Desist decision letter that went out October 14th that reflects all the Motions this Commission made on October 1st. I have a copy here. So he's going down, bullet by bullet. So he's responding to the Orders that were handed out at the last meeting. I wanted to clarify that.

Mr. Lord said, Evidently I wasn't clear. I referenced the October 14th Cease & Desist Order as it was amended, and these are the points that are listed there.

Chair Vitali said, O.K. No, that's fine. You got more points there?

Mr. Lord said, Yes, "Decrease in size of the pool house to 10 feet by 20 feet." That is in the process of being done. The roof is off the structure, and the walls are going to be reconfigured. We'll have a specific drawing of how that relates to the overall project site, but it's in the process of actually being reduced in size.

Mr. Lord continued, "Installation of pool safety fence." We'll make sure that it is.

Chair Vitali said, It's out of our realm, too, because he had a permit to put the fence up the first time around. When he got a permit for the pool, he got a permit for the fence. The original pool had a fence around it, right, Erin?

Ms. O'Hare said, Yes.

Chair Vitali said, So that's a moot point. That was out of our jurisdiction for this.

Mr. Lord said, O.K. And the last point: "To consult an engineer regarding completion of the drainage plans on the property and to remove all the unpermitted drainage that is there now within 30 days." That's in the process. Juliano is working on that information. I've also looked at, I'll call it, "the southern drainage ditch or the drainage that conveys water to the southern, in the southern direction." That's going to be backfilled in--taken out--and no longer going to feed water in that direction. Those are the highlights of the points from the Cease & Desist Order. I'd be happy to answer additional questions. But it is actively being worked on. We are responding to the Cease & Desist Order. And we will be generating new information for the next session of the Commission to deal with this.

Chair Vitali said, O.K. Are you/Juliano going to submit a site plan--easy, that we can understand the changes, or the final diagram or what the final outlook is going to be?

Ms. Tello said, Yes. Juliano asked for a bit more time on it. He wasn't able to get everything.

Chair Vitali said, You already passed your 30 days. So you need more time.

Ms. Tello said, Yes. So we're working on that and hopefully have that by the next meeting.

Chair Vitali said, By the next meeting. In other words, I don't want to say you're submitting an application--but the site plan is going to have similar things that you would have had on an application, correct?

Mr. Lord said, Yes. It will tell you what we're doing, how we're doing it, and where we're doing it.

Chair Vitali said, And the time frame.

Mr. Lord said, And a time frame.

Chair Vitali said, And where the chicken coop is going. You want to go over that one again, because at some point it says "Upland Review Area", another point it says--

Mr. Lord said, Yes, that would be a good point of information.

Chair Vitali said, It could be outside of the Upland Review Area.

Mr. Lord said, It was my intention to remove those two structures to the location that was addressed in August of 2024, which is outside the limits of the wetland. It's in an existing grass lawn area that's relatively flat. The issue is, the northern side of the house, there's more slope involvement. That's all I can say at this point. But it's our intention: to the east of the existing driveway head, we're moving it there. It's going to be a few feet. And we'll have that in detail--how many feet from the pavement.

Chair Vitali said, Hang on a minute. O.K., Commissioners, do you understand there's a little snag right now? August of last year, a year ago, he could put the chicken coop in the Upland Review Area. As of October 14th, that was no longer available. It's got to be outside the Upland Review Area. Where would the Commission like the chicken coop to be?

Commissioner Phillips said, Outside the jurisdictional area.

Chair Vitali said, Outside the jurisdictional. Mike?

Commissioner Caruso said, I'm fine with that.

Chair Vitali said, With what, outside the jurisdiction?

Commissioner Caruso said, Yes.

Chair Vitali asked, Jeff?

Commissioner Necio said, I agree.

Chair Vitali asked, Jimmy?

Commissioner Heilman said, I agree.

Chair Vitali asked, Caroline?

Commissioner Mrs. Raynis said, Yes, I also agree. Thank you.

Chair Vitali asked, Aili?

Commissioner McKeen said, Same here.

Chair Vitali asked, Nick?

Commissioner Kern said, Dave, you talk about jurisdictional area. Are we talking about Upland Review and the wetlands, or are we just talking about wetland area? Because I don't think there's much property. If you're looking at the lot from Woodhouse Avenue, on the left side there's a retaining wall. So you wouldn't be able to put it over there. I don't see anywhere this gentleman's going to put his chicken coop that it's not going to be in the middle of his front lawn. So I believe that the chicken coop and the shed need to disappear or be demolished because there's no place, actually, that they could put 'em. Unless you can find someplace with Chris Juliano that you can stick 'em that's out of our jurisdiction. That's fine.

Chair Vitali said, Why don't you--you got 30 days to answer that question, okay?

Commissioner Heilman said, Mr. Chairman? I'd like to go back and ask a question about the pool. Are you--are they creating a curtain drain around the base of the pool?

Mr. Lord said, Yes. It's standard with the in-ground pools that there is a drainage line around the pool; and draining material--free-draining material--underneath an in-ground pool collects the water and

takes it away so that you do not have the water that's in the soil lifting the pool.

Commissioner Heilman said, Yes, I understand that. My question was, is it completely around the pool? Because, if it's not, you'll create differential hydrostatic pressures.

Mr. Lord said, No, it would have--it would have to be entirely around the ecostructure.

Commissioner Heilman said, Otherwise, it'd crack the foundation. It has to be uniform.

Mr. Lord said, Yes.

Commissioner Heilman said, As long as it's around that whole base, I have no concern.

Ms. O'Hare said, Mr. Chairman, if I may?

Chair Vitali said, Yes.

Ms. O'Hare asked, While David Lord is here, it's important to straighten something out. I like the fact that movement, some progress is happening. But we--everyone--have to establish where that Upland Review line is. Because there's one line based on David Lord's wetlands from a year and a half ago; and then there's another line based on the second Soils Scientist--his name is Ian Cole--from a few months ago.

Chair Vitali said, Whoa. That second one didn't show up for last meeting. I don't know if his is any value. He isn't here to testify on his behalf.

Ms. O'Hare said, No, I understand that. But, right now, this map shows Ian Cole's.

Chair Vitali said, Well, I'm not going to try and struggle through this map. They can work it out because they do have the two numbers. It's interesting: The two lines are parallel, but they're not over top of each other.

Mr. Lord said, They're parallel. And for the areas flagged number 21 to 16--16 to 21 in the Ian Cole drawing--are consistent with what I flagged in the field. The difference begins in the area of the existing chicken coop, where he went around the chicken coop structure. Then he comes back further into the existing vegetation southerly towards the shed. And where I'm at the front of the shed, the north side of the shed, he's more towards the south end of the shed. So there is a difference in the areas of the two structures that we're talking about. But in the pool area, it's the same.

Chair Vitali said, O.K.

Mr. Lord said, We can clarify that line for you and put it on the drawing that we'll be putting together so that you have one consistent line.

Chair Vitali said, I think that's important, to get a site plan that we can read, we can understand. And it's got to be in her hands to go out in the packet the Friday before the meeting because it won't be accepted at the meeting.

Commissioner Phillips agreed.

Mr. Lord said, Yes, and I apologize for that. There just physically was not enough time from the time I got involved again with the project and the deadline for your submission.

Chair Vitali said, You see where the Commission's coming from, their concerns. You don't have much more information to share with them at this point because you're going off the bullet points of the last meeting or the letter of Cease & Desist. Go ahead, Nick.

Commissioner Kern said, Dave, Mr. Heilman brought up the point about the drainage going all the way around the pool. Is the pool in the ground, right?

Mr. Lord said, Yes.

Commissioner Kern said, And was the drain put in before the pool was? Because he's got it concrete surround.

Mr. Lord said, I certainly would hope so.

Commissioner Kern said, I got a feeling it's not. So is there going to be a problem with hydrostatic differential?

Mr. Lord said, I will get an answer on that for sure. But the drainage schematic I've seen so far would indicate that it is in existence. And I don't think the pool installer would have put the pool in--forgetting, putting aside the patio stone--but the pool itself needs to be protected by that drainage system.

Commissioner Kern said, Right, I understand.

Chair Vitali said, There was discussion last meeting that it went down, I think, the north side of the house and it went further than designed, or something.

Mr. Lord said, It's my understanding, yes. It runs northerly from the area of the pool, then makes a turn to the west and goes down to connect with the intermittent watercourse that parallels Woodhouse Avenue.

Chair Vitali said, Erin was out there on the 30th of October and took some pictures. One of the pictures she shows of lawn clippings dumped, deposited in the wet meadow, southern marsh. The fact that it's not mowed indicates to me it's kind of a wetland. So we're filling in the wetland with grass clippings.

Mr. Lord said, O.K. Personally, professionally, I have somewhat equivocation in that I do not see the dumping of material like this in a wetland as being deleterious to that wetland because it's feeding the plant life, the soils within the wetland system. If it gets excessive and is continually used as a stockpiling for grass clippings, it becomes an issue because you kill off, and you're overloading the wetland system. But if it's just from one clipping, that is really not deleterious to the wetland system.

Chair Vitali said, It may be one clipping, but he must have a five-acre lawn because it's all in one spot.

Mr. Lord said, We'll take a look at that, and I'll get more information to you.

Chair Vitali said, Fair enough.

Ms. Tello said, I apologize. That won't happen again. My brothers mow the lawn. We'll let them know.

Ms. O'Hare said, Mr. Chairman, I do have another point. In your packet last Friday, you also got a copy of a letter from the neighbor. That's the neighbor who lives at 2 Wheatfield, south of this property on Woodhouse. It's the Satonicks. Basically, it iterates what she was saying at the meeting on October 1st is that she's very concerned about the water being increased to her marsh on the north side of her property. In the letter, I believe she says--she's called me and walked into my office several times--to say, "Please get the water that he's going to direct--please have him, Mr. Tello, direct it to the swale." And that's what Mr. Juliano has done. He's directed it to the swale.

Chair Vitali said, Well, I'm not going to go there until the plan comes in. Do they have a copy of her letter?

Ms. Tello said, Yes.

Ms. O'Hare said, Yes.

Chair Vitali said, So what are we going to do about that tonight? Nothing.

Ms. O'Hare said, No, but I'm making the point that Mr. Juliano's plan is responsive to that.

Chair Vitali said, If they come back and it's not done, then they lose again. I don't think they're planning to lose next time.

Commissioner Kern said, We just talked about it, Erin, with David Lord about the water, how much of the back yard was going to drain into that pipe and go to the intermittent stream. So we've already addressed the issue that your neighbor has on Wheatfield. That's been addressed.

Ms. O'Hare said, Except it's hard for lay people to understand what Mr. Lord said. Most people don't understand the words "tight soil". They don't know what tight soil is.

Ms. Tello said, I've also through e-mail communicated with the Satonicks--what we plan on doing to relieve their concerns. So they know that we are working with Juliano and working on redirecting that water so it no longer goes into their marsh.

Mr. Lord said, It's a matter of record. I actually have worked on the Satonick piece of property for a development extension or expansion of their house. So I am familiar with what's going on the Satonick property, and the proposal to put it into the intermittent watercourse is the solution that will prevent additional water from coming onto the Satonick property from there to their north side.

Chair Vitali said, Well, as we all know, water--that property has seen a lot of water over the years. At both sides: there down at Wheatfield; up further at the other end; across the street. That pond is reduced in size naturally, I think. I don't think anyone has dumped anything in it. So we all know that these situations exist. When a neighbor--when a person has something that's affecting their property, it seems to be certainly much more interesting, or they're more concerned about it.

Mr. Lord said, Sure. Oh, absolutely. No, I understand that the--

Chair Vitali said, So now, in what was done at that--her family's property, indicates it could create more of a flow to her property. Now you're coming back and indicate that's going to be changed. The swale's going to be modified and changed. The drain--I mean, there's a lot of things going on. I think it's--I think we all agree we hate to see it drained to the point the wetlands are drained. But this is all subsoil. You just pointed out subdrainage going on, not surface. So I think, if it can be rationalized that there's no increased water traveling to the neighbor's property off of this, I think we've kind of done our job, right?

Ms. Tello said, And you're going to get an answer through Juliano's office in that regard.

Commissioner Heilman said, Yes, I think in regard to the letter there was comments made to checking with Legal Department as to whether or not they could cap that pipe--not a good idea. I can understand the desire to do something like that if it's hurting your property. Whenever you do something, it's going to change everything. You may not have more water at any given moment, but you will have more water over the longer period of time because of what you are doing with draining an area. In natural water tables, you're talking about an area at the base of a pretty serious slope. I guess that is northeast of you, up the hill. And all that water comes down, hits the bedrock you described when they put the pool right on top of bedrock. So there's no place for the water to drain, that comes down from the soils in that slope. So it builds up underneath that pool. Now you've got a drain system. First question that came to my mind: When did you recognize there was a problem? Has there been an issue with movements in there with water already coming in? Or is it already properly drained--which I hope the engineers did. You're going to have more water into that neighbor's property forever as long as you are taking the water that's coming down that hill underneath that pool and transporting it to another location. However, in Juliano's paper, he mentions the fact that they're going to not have this--if I'm not mistaken--not have this pipe here eventually. It's going to be routed elsewhere. Do I have that correct? He said it makes this a moot point.

Mr. Lord said, I see. My reading of the information I've got at this point is that the existing pipe alongside the shed structure, which points south, is adding more water directly in the direction of the Satonick property. This proposal, and what you'll see at the next meeting, is the water that's collected around the pool is going to be drained through pipes along the--in the northwestern corner of the Tello property into a well-defined watercourse channel which runs through the Satonick--through the Tello property and the Satonick property. Because, again, I've looked at the wetlands on the Satonick property. And the problems that I believe the Satonicks are experiencing from sheet flow over the surface of the wetland that's coming up against the north side of their house. So there's the water--and the improvement that we're going to be doing with the drainage system that we're talking about is going to eliminate that increase in discharge in the direction directly towards the Satonick house and that wetland system. I said that right.

Commissioner Heilman said, Looking at this map that was handed out tonight from Juliano, I believe the road in the front of the property runs north-south. But they are picking up that water from the pool area, taking it south, and then they're running it west down to the road, where the natural drain is--is along the road there. Is that what these pipes are showing here? The--

Mr. Lord said, No. We're taking the water from around the pool, collecting it in a pipe and running it north.

Ms. Tello said, I think--David, I think they're referring to this over here, the blue?

Commissioner Heilman said, That's not what this map says.

Ms. Tello said, I think you're referring to this, to the green. These are two separate.

Mr. Lord said, Oh.

Ms. Tello said, So all the drainage from the patio--

Commissioner Heilman said, We'll have to wait until we get more information.

Chair Vitali said, And a more-clear map.

Mr. Lord said, O.K. Yeah, we'll need some clarification on that.

Chair Vitali said, Just one quick thing, though. The running that along parallel in Woodhouse Avenue, is that in the State--the State part of their Right-Of-Way? Which is a natural thing. I mean, the feeder road for 150 has got to be, you know, 80 feet wide at least.

Mr. Lord said, I'd have to get you an answer on that. It's an existing drainage way now, and we're dumping into that. So I don't think there's any--and, again, the volumes we're talking about, we're talking in gallons an hour. It's so minute, there will be no noticeable--

Chair Vitali said, If we've got to argue--not argue. If we have to discuss with anybody and say, "Well, wait a minute. You really don't own that, anyway. You know, that's a natural flow the State of Connecticut has," if that's the case. That's pretty much it. All right. Any other questions, Commissioners?

Commissioner Heilman said, Not at this point.

Chair Vitali asked, Anybody else? All right. I think you're all set for another 30 days.

Mr. Lord said, Very good. Thank you very much.

Chair Vitali said, O.K., thank you.

No Motions were made on the items in this Agenda Item H. VIOLATIONS.

Chair Vitali said, O.K., now Erin put the potential calendar in the packet, but it's not on the agenda. So we'll discuss it. Anybody see any problems? I guess we're looking at the July/August category.

Commissioner McKeen said, We usually combine July and August.

Recording Secretary asked, So they might vote this in November?

Ms. O'Hare said, Oh, this is proposed.

Chair Vitali said, Somewhere around July 30th?

Commissioner McKeen said, In 2026, the Wednesday is going to be the 29th--or the 22nd?

Recording Secretary asked, July 29th?

Chair Vitali said, Takes care of the July and August meetings.

Recording Secretary said, So this is what Erin will rework and you're going to vote on next month?

Chair Vitali said, We can vote on it tonight. I'll entertain a Motion to accept this with the July/August meeting being on July 29th.

MS. PHILLIPS: **MOTION THAT THE INLAND WETLANDS AND WATERCOURSES COMMISSION MEETINGS SCHEDULE FOR 2026 BE ACCEPTED WITH THE DATES ON THE DRAFT, WITH THE EXCEPTION OF COMBINING JULY 1ST AND AUGUST 5TH TO A JULY 29TH MEETING.**
MR. NECIO: **SECOND.**
VOTE: **EACH REGULAR MEMBER VOTED "AYE" TO ADOPT THIS 2026 MEETINGS CALENDAR.**

K. ADJOURNMENT

MS. PHILLIPS: **MOTION TO ADJOURN THE MEETING.**
MR. NECIO: **SECOND.**
VOTE: **ALL AYES IN A UNANIMOUS VOICE VOTE.**

The Meeting was adjourned at 8:08 p.m.

Respectfully submitted,

Kathleen L. Burns
Recording Secretary