

Wallingford Inland Wetlands and Watercourses Commission

Regular Meeting
Wednesday, October 7 2026, 7:00 p.m.
Room
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, October 7, 2026, at 7:00 p.m. in the Robert F. Parisi Council Chambers, Town Hall, 45 South Main Street, Wallingford, CT.

PRESENT: Chair Vitali, Secretary Nick Kern, Commissioner Michael Caruso, and Alternate Commissioners James Heilman, Aili McKeen, Caroline Raynis and Sebastian Velez, Environmental and Natural Resources Planner.

ABSENT: Vice Chair, Debbie Phillips and Commissioner Jeffrey Necio.

A. PLEDGE OF ALLEGIANCE

The Pledge was recited.

B. ROLL CALL

As above.

Chair Vitali stated that the voters tonight would be Commissioners Kern, Caruso, Heilman, McKeen and himself.

C. CONSIDERATION OF MINUTES

1. Regular Meeting, September 2, 2026, 7:00 p.m. (corrected)

MR. CARUSO: MOTION TO APPROVE THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 2, 2026

MS. MCKEEN: SECOND.

VOTE: MR. CARUSO – YES; MR. KERN – YES; MR. HEILMAN – YES; MS. MCKEEN – YES; CHAIR VITALI – YES.

Chair Vitali read a statement providing an overview of the Commission's role and responsibilities and the types of comments that are appropriate. It included the statement that Commission decisions must be based strictly on environmental factors, including potential impacts to natural resources, water quality, wildlife habitat and overall ecosystem function.

D. OLD BUSINESS

1. PUBLIC HEARING #A26-7.1 /110 Leigus Road – Metro Realty – (Multi-family apartment complex (83 units) with associated parking area under CT Statute 8-30g)

Chair Vitali noted the public hearing opened as of 7:07 pm.

Appearing were Atty. Andrea Gomes, Hinkley Allen, 20 Church Street, Hartford; Kyle Richards, Executive Vice President, Metro Realty; Tom Daly, Consulting Civil Engineer with SLR; and Matt Sanford, Wetland and Soil Scientist with SLR.

Atty. Gomes stated that all notification requirements for the public hearing have been met.

Chair Vitali stated that the applicant requested the public hearing.

Mr. Richards used a PowerPoint presentation to introduced Metro Realty and its track record. He stated that they take maintenance very seriously and have more than 25 staff to manage the communities and the stormwater management systems. The company has not received a citation from a town on maintenance in their 30 year history. He pointed out the 21.5 acre parcel formerly labeled Lot C. All access will be from Miles Drive. The development will be on a previously cleared area with no direct wetlands impact. They will gift to the Town 11.3 acres to be permanently conserved. They have met with Wallingford Land Trust about ownership and walking trails. The company is committed to permanently conserving these 11.3 acres. How it will be done is up to the Town.

Mr. Daly stated that the overall campus is approved for subdivision but their proposed site plan is confined to the existing former farm field. The woods and wetlands will not be impacted. He showed where the watercourse is in the wooded area. He showed the existing sanitary sewer. There is a stone wall separating the wooded portion from the cleared portion. They will stay on the cleared side of the wall. He showed the site plan with the dedicated right of way, distributed parking close to front doors and sidewalks throughout. He explained the landscape plan. He described the locations of the two regulated activity areas. One is in the north end of the property. The hotel discharge goes across the property line. They will pick up the drainage pipe and move it to the other side of the driveway. This will occur in an upland review area. There will be a small amount of grading in the upland review area. A total of approximately 1000 sq. ft. is affected. The second area is in the south end of the development at the driveway turn around. This will be in an upland area adjacent to a wetland pocket. They have designed a retaining wall with a fence to minimize activity in the wetland. He described the proposed fence as an agricultural style that will restrict debris from the site from going into the restricted area. He suggested deferring construction of the fence until the need is determined. They are willing to have this as a condition. The wall will be 21 ft. away from the wetland. Approximately 5,000 sq. ft. of regulated area is affected. He described the stormwater drainage system which will be in the southern end of the property. This is in the Watershed Protection Zone so there are higher standards for water quality. The basin will not be in the upland review area or wetland area. Ultimately the discharge will go into the upland review area. The design meets the town and DEEP regulations. Water & Sewer and the Town Engineer have approved the design. He reviewed the Erosion Control plan. He reported that the neighbors requested the permanent protection of the wetlands and upland review area. Over 50% of the site will be in permanent restriction. They are more than willing to work with the town to accomplish this.

Mr. Sanford reviewed the two existing wetlands systems and soil functions and values. One is a wet meadow to forested wetland and is near the western property line. It includes a series of intermittent watercourses that converge to become a perennial watercourse that goes into the Muddy River. The second wetland is about .15 acre and he believes it is a manmade wetland. He reviewed how he determined the function and value of each wetland based on the Army Corps Highway Methodology workbook. The first wetland (WA) has more principle functions and values including wildlife habitat and flood flow attenuation. The smaller one (WB) has less function and value. He reported that they looked

for potential for protected species, specifically bald eagles and northern long eared bats. No bald eagle nesting sites or caves for the bats were found on the property. He commented on the impact on the upland review area. For the stormwater outfall extension, they are extending an existing pipe and will maintain the existing hydrology. He sees no adverse impact. The retaining wall at the driveway turn around will be within the 50 ft. review area of the smaller wetland but will be 21 ft. from the wetland edge. With the natural vegetative plantings, he sees no adverse affect. He stated that the existing stone wall will be preserved and the large trees protected. The proposed conservation restriction will protect both wetland areas.

Chair Vitali asked about the fence installation at the end of the project. Mr. Richards replied that they are agreeable to install it either during construction or waiting to see if it's necessary. Chair Vitali stated that it will help keep the construction people out of the upland review area. He asked if there were any test pits on the profile of the ground. Mr. Daly replied that they did them for the stormwater and have done a full geotechnical study of the property which found no construction issues. Chair Vitali stated that on the Leigus Road side, it was found that there was heavy soil on top of gravel. This affected drainage. Mr. Daly replied that they did find layers, but not like that. Chair Vitali stated a potential for lack of water retention if there is gravel underneath.

Commissioner Heilman stated that he doesn't think this property will have the same issue. He likes the idea of the fence. He'd like to see openings every 40 ft. to allow small wildlife to get through. He stated that he is concerned with maintenance of the detention basin as most are not maintained. He stated that this proposal protects the wetlands and the exposure to the upland review area is minimal. He suggested signs to tell people that it is a wetland area.

Commissioner Raynis agreed with placards on the fence. She asked if they knew if the tree that the bats like is found in the woods. Mr. Sanford replied that since they are protecting the whole area, they did not survey all the trees. Ms. Raynis asked if there are any caves in the nearby area that could house the bats. Mr. Sanford replied according to the CT DEEP there are none in this general vicinity.

PUBLIC COMMENT

Jessica Wysocki, 76 Knollwood Drive, stated that she hikes on that property. Allowing development on property adjacent to wetlands will have an impact on the wetlands. She reminded the Commission of the federal Clean Water Act and the Connecticut Inland Wetlands and Watercourse Act as well as Wallingford's Ordinance to protect the aquifer.

Craig Fishbein, Grieb Road, stated that he agreed with adding the fence but questioned the openings. He stated that he is impressed by this company and the conveyance or conservation easement. He was originally concerned about his well. If the conveyance is to the Town and properties to the south are impacted by water runoff, they can petition the town government to do something. If it's a conservation easement or a gift to the land trust, residents would have no one to complain to. He stated that we need to protect people and wetlands. He believes the best solution would be the conveyance. He mentioned a petition with almost 300 signatures. Chair Vitali noted that the fence sections could overlap with a small opening. Mr. Fishbein agreed with that.

Ken Lloyd, President of the Wallingford Community Farmer's Group stated that a lot of people are concerned about this. You can't contain wildlife. The Commission is here for land, water, and the

environment. There are empty buildings in industrial areas that could be adapted for housing. He stated that a lot of people are opposed to this.

State Representative Mary Mushinsky stated that she is also the Executive Director of River Advocates of South Central CT. This area is former agricultural land. The proposed conservation easement (or other arrangement) will reduce stormwater runoff. The developer should also monitor the vegetative buffer of the watercourse between any developed land and any flow toward the river. The stormwater management system must be maintained into the future. Please find a way to ensure the long-term function of the stormwater management system. She added that bald eagles have been seen at North Farms Reservoir recently. She recommended signs to mark the protected wetlands. She noted that the similar project in Cheshire is energy efficient, and this will be too. The applicant has taken care of the sensitive areas of the site. This will be a good use of this former agricultural land.

Commissioner Kern asked if the Town can handle maintenance of this new open space parcel. He asked if the Town does not take the parcel, will the applicant maintain it. Mr. Richards replied that the idea of the conservation area came from the neighbors. Metro Realty is capable and willing to maintain the conservation area, preserve and protect it. They wanted to be sensitive to the wishes of the Town. Either way, the 11.3 acres will be permanently conserved. Mr. Kern suggested that it be maintained put in writing, if the Town doesn't take it.

Commissioner Heilman asked what we want to maintain. What was the property before it was a meadow? Should it go back to forest? He would like to see it conserved the way it would be naturally. Maintenance would be beyond our purview.

Al Renda, 95 Leigus Road, stated that bald eagles are there all the time. He stated that he doesn't think the runoff or the water treatment system will work long term. If not properly maintained the system will fail. There should be mandatory yearly water testing of the water coming out of these ponds. The wells on Grieb Road will be affected. This needs contingencies and plans. Who is going to be accountable?

Betsey Stalato, 36 Broadview Drive, stated that Metro Realty is well established with good maintenance record. There is nothing happening in that wetlands now. Anything that happens is an improvement.

Scott Amore, Jenna Road, stated that there will be zero wetlands disturbance, no new utilities to be added and a conservation easement. Look at what is allowed in the zone. This is the highest and best use of the property. We don't know what's proposed for the remaining parts of this property. Setting the precedent to conserve the land is something we can use for further developments.

AJ Anois, part of the Fairlawn Farms Association, stated that the applicant is more than willing to accommodate the wishes of the Town. He supports the project.

Chair Vitali asked Commissioners for comments.

Commissioner Raynis asked if the easement or whatever should be considered a condition of approval.

Chair Vitali stated that the plan is to put conservation easement on the wetlands corridor. The question is who will own it and maintain it.

Atty. Gomes stated that they have no control over whether the Town will accept donation of the property. She suggested a condition requiring the ongoing preservation of the 11.3 acres shown on plan whether by a conservation restriction or by donation to the Town or other entity designated by the Town. That way we get a little bit of flexibility but ensures that it will be preserved in its natural state. Regarding maintenance, there is a very big difference between maintaining a meadow versus ensuring a wooded area remains untouched. She suggested an approval condition that if the Town refuses the donation and Metro puts a conservation restriction on that 11.3 acres, Metro Realty will work with Staff to create a maintenance plan to ensure it remains in its natural wooded state.

Commissioner McKeen noted that they are going to build on the meadow-ish part of the property and the wooded part doesn't need much maintenance. Maintenance would be control of trash and invasive species. She noted that it won't be pleasant being right next to the highway. She would like to see a less dense project though it is a good use of the property.

Commissioner Kern stated concern with general maintenance and oversight.

Chair Vitali closed the public hearing at 8:41 pm. He asked if Commission members were ready to vote tonight. Consensus was yes.

Mr. Velez recommended approval with conditions.

Mr. Vitali called for a motion regarding significant activity.

MR. CARUSO: MOTION TO THAT APPLICATION #A26-7.1 / 110 LEIGUS ROAD – METRO REALTY BE DEEMED NOT A SIGNIFICANT IMPACT ACTIVITY.

MS. MCKEEN: SECOND
VOTE: MR. CARUSO – YES; MR. KERN – YES; MR. HEILMAN – YES; MS. MCKEEN – YES; CHAIR VITALI – YES.

MR CARUSO: MOTION TO APPROVE APPLICATION #A26-7.1 /110 LEIGUS ROAD WITH THE CONDITIONS LISTED ON THE PLANNER'S REPORT DATED 8-27-26, INCLUDING

- 1. \$8,000 BOND**
- 2. SEDIMENT AND EROSION CONTROLS MUST BE PUT IN PLACE AND INSPECTED BY THE ENVIRONMENTAL PLANNER BEFORE THE START OF ANY CONSTRUCTION**
- 3. SUBMISSION OF A MAINTENANCE PLAN OF THE WATER FILTRATION SYSTEM AND SEDEMENTARY PONDS.**
- 4. THE INSTALLATION OF THE FENCE PROTECTING THE WETLANDS PRIOR TO CONSTRUCTION WITH THE GAPS FOR WILDLIFE TO GO THROUGH.**
- 5. WETLAND SIGNS ON THE POSTS**
- 6. INCLUDING THE PRESERVATION OF THE LAND, THE 11.3 ACRES OF WETLANDS AND A MAINTENANCE PLAN SUBMISSION FOR THAT**

MS. MCKEEN: SECOND

Commissioner Heilman asked about the transfer of responsibility for maintenance and how it will affect the condition.

Chair Vitali noted that the bulk of the area is forested and the applicant will provide a maintenance plan.

VOTE: **MR. CARUSO – YES; MR. KERN – YES; MR. HEILMAN – YES; MS. MCKEEN – YES;**
 CHAIR VITALI – YES.

E. NEW BUSINESS

1. **#A26-7.2 / 528 South Cherry Street – Virginia Ryan, CPEA, REM – (Site clearing and remedial actions for waste)**

Amberly Clark, an Environmental consultant with WSPUSA, stated that she is representing Allnex USA, Inc. and noted that the applicant, Virginia Ryan, could not be here tonight. The application includes temporary and permanent wetland impacts two wetlands and a stream due to existing site conditions and engineering constraints. This is an older landfill that is referred to as the Powder Dump. The landfill has construction and other non-hazardous waste built up in a low lying area that abuts a small stream. It is surrounded by three wetlands. The purpose of the project is to fix or repair the existing landfill cap and cover. Erosion has been occurring so it needs to be capped to meet DEEP standards. They will pull back the northern edge, consolidate the waste, re-grade it and cap it. They are not removing any of the waste. This will prevent additional infiltration. There will be some tree removal and excavation in a limited area. A low permeability cap will be added. An environmental use restriction will be placed on the land records. An operation & maintenance plan will also be on the Land records. This will include maintenance of the cap itself, mowing, any repairs, and ground water monitoring.

Chair Vitali asked if this is being done voluntarily remediation per DEEP. Ms. Clark replied that the project has been approved by the DEEP.

Mr. Velez stated that he would like to see a better drawing showing the location of the stream. Ms. Clark indicated the stream in the drawing lines up with the high water mark. Mr. Velez then recommended approval with conditions.

Mr. Vitali stated that these projects are controlling the containment from going further down into the soil. He called for a motion.

MR. CARUSO: **MOTION THAT APPLICATION #A26-7.2 / 528 SOUTH CHERRY STREET –**
 VIRGINIA RYAN, CPEA, REM BE DEEMED NOT A SIGNIFICANT IMPACT ACTIVITY.

MS. MCKEEN: **SECOND**

VOTE: **MR. CARUSO – YES; MR. KERN – YES; MR. HEILMAN – YES; MS. MCKEEN – YES;**
 CHAIR VITALI – YES.

MR CARUSO: **MOTION TO APPROVE APPLICATION #A26-7.2 /528 SOUTH CHERRY STREET**
 WITH THE FOLLWING CONDITIONS:
 1. **SEDIMENT AND EROSION CONTROL MEASURES ARE PUT IN PLACE BEFORE ANY**
 WORK COMMENCES
 2. **A \$10,000 SEDIMENT AND EROSION CONTROL BOND**

3. **AN OPERATION AND MAINTENANCE PLAN BE APPROVED BY THE TOWN ENGINEER AND ENVIRONMENTAL PLANNER AS STATED IN ENGINEERING MEMO DATED 9/30/26.**

MS. MCKEEN: SECOND

VOTE: MR. CARUSO – YES; MR. KERN – YES; MR. HEILMAN – YES; MS. MCKEEN – YES; CHAIR VITALI – YES.

2. **#A26-7.6 / 358 Hall Avenue – Jeffrey Laforge (Proposed Parking Lot Expansion) (Tabled at requires of the applicant)**

(Acceptance of applications)

3. **#A26-9.1 / 23A Country Way – Daniel Riley (Proposed fence)**

Chair Vitali noted that this appears to involve 2 or 3 posts in a wetland and wondered if we could act on it tonight.

Mr. Velez reported that he has not looked at the property yet and recommends accepting the application but taking no action.

4. **#A26-10.1 – 900/902/920/940 So. Colony Road – Dominick DeMartino (Mixed use development)**

F. REPORTS & COMMUNICATIONS

1. **Bond Release Request for 59 North Elm Street Carr Hall (IWWC #A22-10.1)**

Chair Vitali indicated that the bond request is still being reviewed so is tabled.

2. **Communications from 2 Wheatfield Drive dated, 9/24/26, 9/29/26, and Environmental Planner dated 9/15/26 and 10/1/26 on 360 Woodhouse Ave.**

Mr. Velez reported that he has communicated to the owner but has had no response. He is consulting with the Law Department. According to the neighbor little or no work has been done on the Wetland plan.

Chair Vitali suggested contacting David Lord as his name is on the plan.

3. **Request for permit transfer for Permit #A24-10.2 231 New Cheshire Road**

Chair Vitali explained that the application was approved a while back and the only change is the name on the permit. He asked if a fee was charged.

Mr. Velez reported that the fee has been received.

Chair Vitali called for a motion to approve the permit transfer.

MR CARUSO: MOTION TO APPROVE THE TRANSFER OF PERMIT #A24-10.2 FOR 231 NEW CHESHIRE

ROAD.

MS. MCKEEN: SECOND

VOTE: THE MOTION WAS APPROVED BY ALL IN A VOICE VOTE.

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

1. **Cease and Desist Order Remains** – 250 Cook Hill Road – (unpermitted alteration of wetlands, installation of structures in or near wetlands, deposition of a significant amount of fill material in Upland Review Area) – issued 4/14/26; Order affirmed 4/22/26.

Mr. Velez reported that there has been no response from the owner. He is talking to the Law Department about this property.

2. **988 East Center Street – filling of wetlands - #A19-3.6 (filling of wetlands) Staff Memo recommendations for closing of violation and release of bond.**

Mr. Velez reported that this bond is ready to be released and the violation closed.

Chair Vitali called for a motion to approve the release of the bond.

MR CARUSO: MOTION TO RELEASE THE VIOLATION AND THE BOND FOR #A19-3.6/988 EAST CENTER STREET

MR HEILMAN: SECOND

VOTE: THE MOTION WAS APPROVED BY ALL IN A VOICE VOTE.

H. VIOLATIONS – pending (no action requested at this time)

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 10/4/23 action; NOV affirmed 12/3/25
2. **Notice of Violation Remains** – 24 Maplevue Road – Patricia Clarke c/o James W. & Patricia Clarke, Trustees 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; NOV affirmed 12/3/25.

Chair Vitali stated that no action is needed at this time.

Chair Vitali asked about the request for bond release for 932 Northrop Road that is in the packet.

Mr. Velez stated that when he inspected the property the silt fence had not been removed. He has communicated that request to the bond holder. So, it's not ready to be released. He will update the Commission.

I. NEXT SCHEDULED REGULAR MEETING: November 4, 2026

J. ADJOURNMENT

MR. CARUSO: MOTION TO ADJOURN

MS MCKEEN: SECOND

VOTE: THE MOTION WAS APPROVED BY ALL IN A VOICE VOTE.

The Meeting was adjourned at 9:15 p.m.

Respectfully submitted,
Cheryl-Ann Tubby
Recording Secretary