

**Inland Wetlands & Watercourses Commission
Special Meeting
Wednesday, April 13, 2022, 7:00 p.m.
Robert F. Parisi Council Chambers
Second Floor, Town Hall
45 South Main St., Wallingford, CT**

MINUTES

Chair James Vitali called this Special Meeting of the Wallingford Inland Wetlands & Watercourses Commission to order at 7:05 p.m. in the Robert F. Parisi Council Chambers, Second Floor of Town Hall, 45 South Main Street, Wallingford, CT. [A recording was produced and posted on YouTube by Wallingford Government Media.]

PRESENT: Chair Vitali, Secretary Nick Kern, and Commissioner Jeffrey Necio, and Alternates Aili McKeen and Mrs. Caroline Raynis, and Environmental Planner Erin O'Hare.

ABSENT: Vice Chair Deborah Phillips, Commissioner Michael Caruso, and Alternate James Heilman.

A. PLEDGE OF ALLEGIANCE

The Pledge was recited.

B. NEW MEMBERS & ROLL CALL

Chair Vitali acknowledged new Members tonight: Alternates Mrs. Caroline Raynis and James Heilman. He asked Mrs. Raynis and Mr. Necio, who joined the Commission in November, to say some words.

PRESENT: Chair Vitali, Secretary Nick Kern, and Commissioner Jeffrey Necio, and Alternates Aili McKeen and Mrs. Caroline Raynis.

ABSENT: Vice Chair Deborah Phillips, Commissioner Michael Caruso, and Alternate James Heilman.

There were four persons in the audience. Those who spoke are named below.

C. CONSIDERATION OF MINUTES

1. Regular Meeting, Nov. 3, 2021

MR. KERN: MOTION TO APPROVE THE REGULAR MEETING MINUTES OF NOVEMBER 3, 2021.

MR. NECIO: SECOND.

VOTE: MR. KERN – YES; MR. NECIO – YES; CHAIR VITALI – YES.

ABSTAINED: MS. MCKEEN.

2. Note: Regular Meetings scheduled to be held Dec. 1, 2021, Jan. 5, 2022, Feb. 2, 2022, Mar. 2, 2022 & April 6, 2022 were cancelled. Tonight's meeting was set and posted as a Special Meeting.

D. OLD BUSINESS

Chair Vitali stated that during the last months he has been in contact with Ms. O'Hare regarding decisions on Administrative Approvals.

1. **#A21-10.2 / 136 Chimney Hill Road – Charles Craig – (addition) – granted administrative approval 11/29/21. Noted.**
2. **#A21-11.1 / 400 Elm Street (aka 80 Wharton Brook Drive) – Pat Wall Field – Emily Picard, Lyman Hall High School – (informational kiosk installation) – granted administrative approval 11/19/21. Noted.**

Chair Vitali said this request came before the Commission earlier. It is part of a program to take students out to the field for biological study.

3. **#A18-1.2 / 801 North Colony Road & 6 Beaumont Road / Padens Brook – NERP Holding & Acquisitions Company, LLC – Request for release of bond**

Chair Vitali explained the three parts here: 1) bond release request; 2) transfer of permit; and 3) the one area that was left undeveloped and may be the subject of a future application.

Ms. O'Hare referred to her Environmental Planner's Report of Friday, April 8. She said that a \$20,000 bond was posted in 2018 for the Tractor Supply property. A separate \$10,000 bond was posted for restoration of Padens Brook corridor and eliminating invasives. Tonight they are asking for release of the bond on the Tractor Supply portion only, which I recommend. I do not recommend releasing the other bond.

MS. MCKEEN: MOTION REGARDING APPLICATION #A18-1.2 / 801 NORTH COLONY ROAD & 6 BEAUMONT ROAD TO RELEASE THE BOND OF \$20,000 FOR THE UPLAND AREA.
MR. NECIO: SECOND.
VOTE: MRS. RAYNIS – YES; MS. MCKEEN – YES; MR. KERN – YES; MR. NECIO – YES; CHAIR VITALI – YES.

Ms. O'Hare explained and asked the Chairman to take up the related request at E. New Business, Item 2.

E. NEW BUSINESS

2. **#A18-1.2 / 801 North Colony Road & 6 Beaumont Road – NERP Holding and Acquisitions, LLC – Request for Transfer of permit to Iamthewalrus, LLC**

MS. MCKEEN: MOTION TO TRANSFER THE PERMIT REGARDING APPLICATION #A18-1.2 / 801 NORTH COLONY ROAD & 6 BEAUMONT ROAD, FROM NERP HOLDING AND ACQUISITIONS, LLC TO IAMTHEWALRUS, LLC.
MR. NECIO: SECOND.
VOTE: MR. NECIO – YES; MR. KERN – YES; MS. MCKEEN – YES; MRS. RAYNIS – YES; CHAIR VITALI – YES.

D. OLD BUSINESS (continued):

4. **#A21-12.1 / 4 Laser Lane – Brett Demers – (paving & drainage improvements) – 'received' per statute on 12/3/21, extension period (granted by letter 2/28/22) expires 4/13/22**

Ms. O'Hare said this application was submitted in December 2021 and would have been received in December, but we did not have a meeting. The Applicant was not ready to move ahead. So we granted the letter of extension on 2/28/22 and statute allows 65 days for us to act on the application.

We did not act, and the Commission can ask for an extension from the Applicant. He granted the extension, and that brought it to tonight. So we're out of time. But their site plan wasn't finished, and they understand that. Today the Applicant submitted a letter of withdrawal.

Chair Vitali acknowledged the withdrawal of this Application #A21-12.1 / 4 Laser Lane.

5. #A22-3.1 / 41 North Plains Highway – Stephen Barrett – (installation of retaining wall, fill & above-ground pool, re-location of gazebo) – ‘received’ per statute on 3/2/22
Appearing was Owner Mr. Stephen Barrett.

Ms. O'Hare said that North Plains Highway runs from Route 5 by McDonald's south almost to the Parkway. Gavin is the last property. It is not on North Plains Industrial Road. Mr. Barrett applied in March, so it was technically received then. So we have some time. My EPR went out in your packet Friday with color photographs of the "flashy" stream. It runs in heavy storms and erodes the bank and then quiets down. It widens to 8 to 20 feet across, depending on where it meanders. It goes under a 48" culvert under North Plains Highway and comes out onto Mr. Barrett's property. I suggested that he contact Southwest Conservation District. He wants to have an above-ground pool for his family, except he cannot put it by the stream because it floods. So he wants to put a C-shaped retaining wall and fill it and set the above-ground pool in there. And he wants to relocate the old gazebo out of the way. Often, I don't have the homeowner hire a wetlands soils scientist to tell exactly where the wetlands are. I don't know exactly, but I think it's more important to know where the floodplain line is in this setting. I asked him to apply for a Wetlands permit, and he applied for one. There's floodplain work going on, which is the purview of the Planning Department. So I have in my EPR some recommendations that I recommend him working with SWCD to stabilize streambank restoration. Did you drive by? You can see it from the road. Do you want to move on this tonight? He's been there since 2016. Every time the stream runs, he's losing soil to the river.

Mr. Barrett said, I put up the split-rail fence.

Ms. O'Hare said, That should have gotten a permit. It runs along the stream in the back. In the Application he stated he wants to place the retaining wall. My photographs show the area. I asked him to put the pool in the back, but on the back is the septic system.

Mr. Barrett said, There's quite a big hill in the back, very close to the river. So I'd have it closer to the house.

Chair Vitali asked, Does this brook run by Gavin's property?

Ms. O'Hare said, No.

Chair Vitali asked, It comes by PNA Pond?

Ms. O'Hare said, Yes.

Commissioner Kern said, I think he needs to look into stabilizing the land before he does anything. And is there enough room where he wants to put the pool so it's not encroaching on the wetland?

Ms. O'Hare said, I'm not sure where the wetlands would be. Did you look at the photograph? This area was filled years ago to make that little homestead built in 1967.

Chair Vitali said, But the prior home was built probably 80 years ago, and it got hit by lightning.

Ms. O'Hare said, We did talk about stabilizing the stream, and he talked about stabilizing next to the house at the bend. But that's not the purpose of his application. He wants a pool this summer for the kids. So it was new information regarding stream stabilization.

Chair Vitali asked, What do you think to use for stabilization?

Ms. O'Hare said, I recommended the Southwest Conservation District for coir logs, logs, stone, and willows.

Commissioner McKeen asked, How close is your retaining wall going to be to this stream as of now?

Mr. Barrett said, Probably about 10 feet off of the stream.

Commissioner McKeen said, Half-way between the stream and the existing gazebo?

Mr. Barrett said, Right.

Chair Vitali asked, What would work?

Mr. Barrett said, Cinder blocks, cement, and rebar. My uncle is in construction, and he'd do it with me.

Commissioner Kern said, So you'll do the wall to raise the yard, but not any stabilization?

Mr. Barrett said, Right. I didn't know about stabilization. In six years there, it's only flooded twice. The erosion seems minimal.

Commissioner McKeen said, There's a little eddy right here, an edge.

Commissioner Kern said, It looks like it has eroded pretty well. If it gets a hard rain, I think it's going to erode. I think the bank-run gravel looks like it washed out east of that..

Mr. Barrett said, To the left in the picture with the gazebo? When the one flood happened this past year, it washed away some. The Town came out and put stone there and by the telephone pole. I'm not against stabilizing the stream. I never had information on that.

Ms. O'Hare asked, Could you put the retaining wall closer to your sunroom, 20 feet from the stream?

Mr. Barrett said, But I wouldn't be able to fit the pool there if I put it that far in.

Commissioner Kern said, I think he's got to address this stream. Somewhere in the next years it's going to be more eroded toward his home. Unless you or Public Works puts riprap, you're going to address it down the road.

Mr. Barrett said, I understand.

Chair Vitali said, When we did the project at BJ's, who came in, NRCS?

Ms. O'Hare said, Yes, from Tolland.

Chair Vitali said, They said, "Don't riprap it" and to leave it alone. It's almost the same here. We've got the brook, and then the issue of the application for the retaining wall to fill in and to put the pool in. So how does the Commission feel about that?

Commissioner McKeen said, I'm O.K.

Commissioner Kern said, I'm comfortable with it as long as Erin's comfortable with it.

Ms. O'Hare said, The stream needs help.

Chair Vitali said, The stream is not on this application.

Ms. O'Hare asked, How about a Condition of Approval that he works with the Southwest Conservation District to get something together?

Chair Vitali said, How do you feel about the retaining wall?

Ms. O'Hare said, It's the retaining wall, the filling, the pool—everything. I did ask a local engineer how much he would charge to decide where the floodplain line is. It's awfully close to the stream. I asked Mr. Barrett if he could put it back another 10 feet.

Mr. Barrett said, Ten feet back will not make a difference. It would cause too many issues, and then with the sunporch, it won't work.

Ms. O'Hare said, I meant the whole thing. So you have the pool exactly where you want it in your drawing?

Mr. Barrett said, The pool will be basically where the gazebo is.

Ms. O'Hare said, Do you want to draw on this where you actually want to have that retaining wall? Would it come up like that?

Mr. Barrett said, It's the same. I'd draw it.

Ms. O'Hare said, I have an idea: So if he wants to put it in, contingent on riprapping that stream?

Chair Vitali asked, Are you in agreement?

Mr. Barrett said, I would have to find out the cost.

Commissioner Mrs. Raynis asked, Has the gazebo ever been damaged by the water? How is the soil under it right now?

Mr. Barrett said, It's come under the gazebo. Grass grows there now and woodchucks live under it.

Chair Vitali asked, Jeff, any comments?

Mr. Necio said, Not now.

Chair Vitali said, Erin, I think riprapping the brook is one step too far. Just approve or deny the application of the retaining wall.

Ms. O'Hare said, I think the retaining wall would be installed a little below grade. How to protect it if it floods?

Commissioner Kern said, It depends—if he'd put a slab footing or drop the blocks down and put rebar

for each block?

Mr. Barrett said, Correct. I worked in construction with my uncle.

Chair Vitali said, Are you looking at the decorative block that United Concrete has?

Mr. Barrett said, I have.

Commissioner Kern said, It's 3' long x 2' x 2'.

Mr. Barrett said, I'd be O.K. with that.

Commissioner Kern said, Have you notified Southwest Conservation?

Chair Vitali said, We're half-way through April. So the first Wednesday in May. Can you get cost information on riprap and get the questions answered by the May meeting?

Mr. Barrett said, Yes, I can speak with them.

Chair Vitali said, With your uncle, you should be able to calculate how many yards of riprap and how you'd place it. So we'd be looking at it.

Commissioner Kern said, On the street at the next lot up, there was a water drainage issue with the concrete guy, and they made him take the riprap out.

Ms. O'Hare said, I don't think what Mr. Gavin did is affecting this stream.

Commissioner Kern said, But is the Army Corps of Engineers going to let him riprap the bank? He needs a professional opinion to tell him what he can and cannot do.

Ms. O'Hare said, That's a good question. Maybe the Town Engineer would know the threshold for that.

Commissioner Kern said, Mr. Gavin is your neighbor.

Mr. Barrett said, What you're talking about is a different situation about 200 feet away

Chair Vitali said, So we're going to get questions answered.

Ms. O'Hare said, I'll put it in writing what we're looking for and get it to him. He'll see if Southwest Conservation District can look there and have an opinion. And is riprap the right way? Second, I'll have him make a site sketch of the retaining wall. How high is the fill dirt going to be behind the retaining wall?

Chair Vitali said, To control the bank—Is the Owner willing to riprap the bank in conjunction with the retaining wall?

Ms. O'Hare asked, How high would the fill be behind the retaining wall?

Mr. Barrett said, Two and a half to three feet high. Just to see how much fill is needed. I applied for 54 yards.

Chair Vitali replied, Probably four feet high. Your elevation is going to be based on pool with the

surrounding area.

Mr. Barrett said, There'd be a couple of steps going up to the raised area.

Chair Vitali said, You can determine--If the riprap is too much money, you won't go for the riprap. But you'll still get a retaining wall.

Mr. Barrett said, I want to be sure that there's going to be longevity to it.

Chair Vitali said, In the photos, the one point that's sending the water to--If the gravel was out, it could shoot down and not have that oxbow effect. Call Erin before the next meeting.

This Application #A22-3.1 was continued to the May 4th meeting.

6. #A22-3.2 / 155 East Street – Ferti Management Corp. – (building addition, relocation of stormwater basin, driveway alterations) – ‘received’ per statute on 3/2/22

Appearing was Mr. Tom Linden, Licensed Landscape Architect, of Linden Landscape Architects, LLC, in Wethersfield. Owner Mr. Frank Ferti of Ferti Management Corp., the Wallingford Plant Manager, and another associate were in the audience. Mr. Linden handed his report to the Commissioners.

Mr. Linden said, The plant here in Wallingford is putting an addition to the building that impacts the FEMA flood zone and wetlands. The previous approval was in 2018. In Erin O'Hare's report, there were two concerns with the 2018 permit that she noticed when she went to the site. I'll address those first. The first slide is the aerial view of the facility at 155 East Street. To the east is Allegheny Steel, to the north is AT&T property, to the west is the Quinnipiac River, and south is the entrance on East Street, which is also part of Allegheny Steel. In this aerial photo, the addition is going to be on the northeast rear corner of the building. We're also going to work on the west side where the storm drainage and all the roof drainage outlet is, and a detention basin was created in 2018. The runoff from the pavement was designed to slope. Since then, there are four spill stations with placards around in the building, with DEEP notification telephone, etc. At the back of the building is the notification of the high-water mark on the northeast wall where truck drivers can't go if it floods. Those are all there.

Mr. Linden continued: The next item in Erin's report is the detention basin created on the west side as part of the 2018 approval. Runoff from the pavement around the back of the site was designed then to slope into this area, and a grass swale feeds to here. In four years of runoff, the area is narrowed, but it's wet all the time so grass doesn't grow there—it looks like a channel going down the middle. From this angle, it's very narrow, maybe 2 feet. But all the water is designed to run into it. The other structure is the outlet structure to it. In four years, plants have grown there and it needs to be cleared. I think our solution is to put ¾" stone in the little trench that has created itself because grass will not grow there.

Chair Vitali said, But the water is to be recharged. If you put stone, it will not recharge. How are you going to maintain it if it's not stone? I'm not sure—it's bad the way it is.

Commissioner Kern said, I thought we had it that way for the spoils perhaps in the yard to go in there and the spoils would break down in the grassy swale and then to the storm pipe or your catch basin. If we put more stone in there, it's going to sink into the mud. I'd like to see it stay grass.

Mr. Linden said, We didn't design the 2018 project. But you're right. It's just functioning this way. You're not going to get grass to grow in this area.

Chair Vitali said, It's eating the trench up.

Mr. Linden said, The outlet of water has created a bit of a trench in there.

Chair Vitali asked for comments. There were none.

Ms. O'Hare said, I'm confused why it's making a mud hole. What's changed?

Mr. Linden said, We did not design what was decided in 2018. It was decided that the pavement in back is sloped toward this point. There's no curb, so the water can go here. It looks like the water was supposed to come to here.

Chair Vitali said, It's doing its job.

Mr. Linden agreed.

Ms. O'Hare said, Would a 30-foot-long curb on the north side keep the water from going in there and making a puddle?

Commissioner McKeen said, You don't want to stop the water from going in there.

Ms. O'Hare said, We don't want mud draining into the detention basin.

Commissioner Kern said, If you put a curb it's going to get trashed from trucks.

Ms. O'Hare said, If we put plants there?

Chair Vitali said, Or canary grass. I don't think stone is the answer.

Mr. Linden said, The last thing on the list was the temporary storage of materials along the west side driveway and parking pavement. When Ms. O'Hare went there in March, she noticed the materials, and I have pictures from February. It's all finished product, packed and bagged on pallets, weather-proofed and stored outside before it gets shipped out in the spring. They did contact the Planning Department to ask if it was O.K. to temporary store outside. They said "Yes," but they did not go to Wetlands, thinking it was Planning and Zoning issue.

Chair Vitali said, What's stored?

Mr. Linden said, Fertilizer products. It gets stored for two to three months. The picture shows the area. Since April, all the material has shipped out. All the material is gone, and all the storage containers are going to be moved, so not in the 50-foot buffer on the plan. Now, knowing that there's an issue as to where to temporarily store materials, it only happens in the winter. We'll go through Planning and Zoning and Wetlands to see how we have to do it when we come back.

Chair Vitali said, I have a problem with that outside storage. Wallingford spent a lot of money to remediate from phosphorous. If someone backs into the packs, it's going to spill and go.

Commissioner Kern said, Maybe your storage should be on the east side of the building. I have seen the area here flood completely across in the rain. Before, your plans had it to be in an isolated area for

two to three months.

Mr. Linden said, We'll solve it for next year; and, if we need a permit, we'll get it. We'll come back and tell Erin O'Hare what we're going to do with this issue.

Chair Vitali said, Storage may be off site.

Ms. O'Hare said, I was there at 5:30 p.m. today. Storage is still by the little wetland in the southwest corner picture. Most of the product is gone except for the wooden pallets, hundreds, stacked. The containers are there, but most of the rest is gone. There's still the one in front of the wetlands.

Mr. Linden continued: This is the overall plan. It shows where the storage is going to go on the northeast side. The lines on this plan show some of the regulated areas. The Quinnipiac River is to the north and east. A FEMA floodwater zone AE line runs along the north side of the building and just outside of the fence and down that side of the property. There's two zone AEs. The zone AE line is here in that detention area; and there's a zone AE line on the back northeast corner, where we're working within that zone AE area. We'd compensate for what we're filling here with a compensatory area here. Any temporary stockpiling and/or storage of materials for construction, we'd store it to this 50-foot line. That's the only area that's not regulated. From those two light blue FEMA lines that are 50-foot offsets, that's the only area that's not regulated. So those two light blue lines define that area. The gold line along here is the offset from the river. It's beyond the fence line, so that's not an issue. There's a green wetland line following close to the FEMA line here. So the areas we're working in all have to do with the FEMA lines—99% of the work we're doing is regulated by you. Compensatory area is in Zone AE.

Mr. Linden continued: The FEMA flood map shows the building, the first AE zone that we're working in, and the floodplain for the river. We're going with a FEMA base flood elevation of 31. The NCRS soils map tells it was urban land years ago, some with poor fill. The addition is going onto the northeast corner of the building. This driveway was permitted in 2018 and is sloped toward this detention basin. Trucks come in here, down the driveway, and counterclockwise around. The addition is going here, almost to the edge of the existing road. Same view, north to south. That's the detention basin from last Friday's rain. That outlet structure has a small inlet pipe that goes around the corner of the building and to an existing catch basin.

Mr. Linden continued: One change in the plans is the location of the truck ramp and the location of the hopper where material is dumped from the truck and goes into the building. We're moving the hopper to the back of the building. The existing hopper on the west side has the truck back up to it and dumps it into conveyors that go down and send it into individual bins. So we moved the hopper to the back of the building. A truck comes on the truck ramp, and the elevator is in the ceiling and it dumps down into each individual bin. So that's the purpose of the addition. The driveway narrows so we can fit the building in. And we'll repave the driveway to now slope toward the fence line. Circulation will be the same, counterclockwise, around the building. Runoff will go to the new catch basin to tie into the catch basin at the back of the building with an outlet pipe and a sump. And the compensatory area is here. Roof storm drainage is existing, tied to an interior drainage system, and it goes out a 24-inch pipe to the riprap that goes to the river. So all the additional impervious for this goes out to the west side of the site.

Mr. Linden continued: We have two issues: the detention issue and the filling of the FEMA zone. We're going to build a basin next to the riprap swale that goes to the river. Seen from this direction, you'll look at this flat area—to create a basin that has volume for the detention for the addition project and also volume for the compensatory flood storage for what we're filling in the FEMA zone project.

Right now, it all runs off into this unmown area, here to the fence line. We'll put that in this location. So we're creating detention and compensatory area in the same location, per the engineer. For detention, we'd decrease the CFS flow from what exists now by decreasing pavement there. The building drains the other way. We'll need to detain net 5,524 cubic feet. Existing detention in the basin on the east side is 3,300 cubic feet volume. So we need 2,224 feet of additional capacity in the basin that we're creating on the west side. Also, we're filling a 4,420 cubic-foot volume with the AE zone addition. So we're creating a basin on the west side for 6,000-plus cubic feet of volume, all in one basin.

Chai Vital asked, Is that basin 4 feet deep? At what level did you get water?

Mr. Linden said, We haven't dug a hole.

Chair Vitali asked, What happens if you hit water at 2 feet? It's wet there.

Mr. Linden said, Then we would have to change the shape of the basin because there's this 6-foot trench with the riprap where the outfall is--about 6 to 7 feet there.

Chair Vitali said, You did all the work designing the basin and it might not be in the right spot.

Mr. Linden said, That's the presentation.

Chair Vitali asked for Commissioners' questions.

Commissioner Mrs. Raynis said, You said your products go into your roof. Is there any way that those chemicals may drain from runoff from the roof? There's a picture where there's an opening.

Mr. Linden said, That's a skylight.

Commissioner Mrs. Raynis asked, So there's no opening in your roof where there would be product coming off?

Mr. Linden said, No. It goes on a conveyor and up this elevator shaft, across and down into the building. So it's sealed.

Commissioner Mrs. Raynis: OK. Sealed.

Commissioner McKeen had no questions.

Commissioner Kern said, You have good stewardship with product storage out there, and we gave you permission for the project. The west side of the building was supposed to have that swale and the trucks to pass by. It was talked about to have a ramp up into the building, fine. I don't want it to be on the east side. What's going on on the loading dock doors as you drive around the front of the building? Do you have trailers there? In all the pictures you showed, it doesn't show anything in that area. So I'm not comfortable with you doing anything to the west side of that building. Leave it the way it is.

Commissioner Necio had no questions.

Ms. O'Hare said, Where should they have their compensatory flood/detention basin? I asked for soil borings a few months ago. I think it's poor fill, from when they took all those Thermospa hot tubs out. DEEP came, and I think they filled the hole with fill that won't drain right. It's always wet out there.

Commissioner McKeen said, I see a loop of URA around the drain site.

Ms. O'Hare said, Tom, what page/sheet is compensatory volume storage shown on?

Mr. Linden said, It's the first one after the cover sheet, L-1.0.

Ms. O'Hare said, O.K.. So it's snug to that riprap ravine.

Commissioner McKeen said, And this diagram shows the riprap being surrounded by Upland Review Area.

Ms. O'Hare said, It is in the URA because of that riprap drainage swale that carries flowing water. So we regulate anything back from flowing water. That's why it's in the URA—which is fine.

Chair Vitali said, The compensatory area? I thought the only thing in the URA was a temporary stockpile area.

Ms. O'Hare said, In the packet Friday night, there was my March 15th letter to the Applicant with attachment.

Mr. Linden said, No, where the stockpiling is, that is the only area outside of the URA. So there's the FEMA floodplain AE line, the fence, the pavement. And go 50 feet offset from that line is the light blue line, so this area is not regulated. Yes, the riprap swale is completely regulated.

Ms. O'Hare said, And 15 feet outside of the riprap is showing regulated.

Mr. Linden said, The compensatory is totally within the AE line, Upland Review Area. It's under your purview.

Ms. O'Hare said, Don't you have all the whole western area by your parking lot to work with?

Mr. Linden said, No, there's a small flagged wetlands down here that has water year round. That's regulated. Part of their DEEP permits for regulated areas on this site: They have this small contaminated area in the north--is this area over here, also regulated by DEEP for monitoring of soils? It's the SW corner of wetlands, regulated by DEEP.

Ms. O'Hare said, I don't know that. Is that on the plans? Add that note.

Mr. Linden said, It's not. So south of the riprap, we can't do it there. We can do it north of the riprap. We can go there and dig a hole and see if we have water in there. Say the water is 2 feet down, then the basin needs to be 2 feet deep and it gets bigger. But this is the only area available for compensatory storage—unless we take down the fence and cut the trees in the floodplain. Because they do own another 50 feet beyond the fence line. That's the only area available. We can dig a couple of holes and change the shape of that if we need to.

Chair Vitali asked, What else, Erin?

Ms. O'Hare said, They came in and got Wetlands placards. On this plan, the Town Engineer hasn't reviewed it. I'd look to hear her comments on the two drainage basins and infiltration. The number one thing is the compensatory flood storage.

Mr. Linden said, We'll get this answer.

Chair Vitali said, O.K. We'll see you next month.

E. NEW BUSINESS

1. #A16-4.3 / 103 North Turnpike Road – Joseph Richello – (apartment complex) – Request for release of bond

Ms. O'Hare said it is not time. I'll make a date and go out there and look. I believe there are piles near the river.

2. #A18-1.2 / 801 North Colony Road & 6 Beaumont Road – NERP Holding and Acquisitions, LLC – Request for Transfer of permit to lamthewalrus, LLC

This was voted on after D.3. above.

F. RECEIPT OF NEW APPLICATIONS

The Commissioners received these new Applications:

1. #A22-4.1 / 14 Research Parkway – GKN Aerospace Services Structures, LLC – (parking area expansion & stormwater management alterations)

2. #A22-4.2 / 25 Kondracki Lane – Carrie & Jonathan Burr – (streambank stabilization/ restoration & footbridge restoration)

Ms. O'Hare said someone from the Southwest Conservation District is going out there.

3. #A22-4.3 / 12 Mansion Road – Laura Cirillo – (after-the-fact fence installation & proposed yard edge filling and installation of fencing & shrubs)

Ms. O'Hare is working with the Owner, and this Application just came in. Ms. O'Hare believes that no fill is in the wetlands.

4. #A22-4.4 / 1251 Old Colony Road – James Delaney – (removal of existing mobile homes, septic systems & decks and installation of mobile homes, septic systems & water mains)

Chair Vitali noted this was a former mobile home park.

5. #A22-4.5 / 400 & 406 South Orchard Street – Executive Dodge, Inc., dba Executive Dodge and Jeep of Wallingford – (After-the-fact installation of fill, lighting facility, and shrubs & proposed removal of a portion of paved parking area, extension of parking area & installation of filt fencing) – Request for consideration of administrative approval – Granted 4/11/22

Chair Vitali noted that there was some filling, but it is better to leave it than to remove it.

G. ELECTIONS – were not held tonight.

J. VIOLATIONS

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

Ms. O'Hare said that she and the Town Planner will meet with this Owner.

2. Notice of Violation Remains – 950 South Colony Road – 1NRSJ, LLC – (filling)

Ms. O'Hare said the Commission has said the fill could stay as long as they remove stones and fill around the trees. Ms. O'Hare said half was removed and she will return to this property.

3. #A20-2.1 / 12 & 16 Northfield Road – (over-clearing in floodplain wetlands & URA issue)

There has been no action here.

Chair Vitali said this matter can come off the agenda.

4. **Notice of Violation Remains – 11 Trumbull Drive – J. Kobrin – No action.**
5. **Notice of Violation Remains – 1468 Tuttle Ave. – Dan Petrosky & Jessica Boudreau – (unpermitted forest clearing & fence installation in wetlands) – No action.**
6. **33 Summerwood Drive – Michael & Catherine Salzillo – (introduction of sediment to Town stormwater system hence to stream)**

Ms. O'Hare said the Owners had a contractor come in and work on the back yard. But they hauled so much away that it created a severe situation with runoff. There is a cliff created in the back yard. The Owner has applied for an Excavation and Fill Permit with the Planning and Zoning Commission.

7. **12 Mansion Road – Laura Cirillo – (unpermitted filling)**

Tonight, Ms. O'Hare gave the Commissioners a copy of her Violation letter to this Applicant in the packet.

H. BUDGET FY 22-23

1. **Public Hearing on Mayor's Proposed Budget, Council Chambers, April 11, 6:00 p.m.**

Ms. O'Hare said the Mayor has reviewed the submitted budget and she had attended the hearing.

2. **Town Council Budget Hearing (IWWC budget, etc.), Council Chambers, April 28, 6:30 p.m. Noted.**

I. REPORTS & COMMUNICATIONS (Jan. – present)

1. **Discussion of proposal to adopt fines for violations – Not discussed.**
2. **Farm Hill Road Detention Basin – status is the same.**
3. **Spring Lake dam issue – Copy of letter forwarded to Ivonne Hall, CT DEEP Dam Safety Division, from Edward Bradley, 2 Hampton Trail, dated 1/17/22 (with attached correspondence dated 1/1999) – Copy of this letter given to Commissioners tonight.**
4. **DEEP Permit Application For the Use of Pesticides in State Waters – Ashlar Village Pond, Cheshire Road – Applicant: Solitude Lake Management; received 2/11/22**
5. **DEEP Permit Application For the Use of Pesticides in State Waters – Pilgrim Harbor HOA Pond, Puritan Drive – Applicant: Solitude Lake Management; received 2/15/22**
6. **DEEP Permit Application For the Use of Pesticides in State Waters – Preserve Condo Pond, 173 Summerhill Road – Applicant: Solitude Lake Management; received 2/15/22**
7. **Memorandum to Building Official from staff re: IWWC jurisdictional area, dated 2/28/22**
Ms. O'Hare gave a copy of this memorandum to the Commissioners tonight.
8. **IWWC Contact Sheet – updated 3/28/22 – Given to the Commissioners tonight.**
9. **DEEP Permit Application For the Use of Pesticides in State Waters – Fieldstone Farms pond – Applicant: Connecticut Pond Services; received 3/9/22**
10. **CT Association of Wetlands Scientists (CAWS), (Virtual) Annual Conference, Mar. 9, 2022, 9:00 a.m. – 12:00 p.m.**
11. **West Farms Estates: Memorandum to Janis Small, Corporation Counsel, from Erin O'Hare, Environmental Planner, re: Stormwater Management Facilities on Open Space (with attachments); dated 3/17/22**
12. **CT Association of Conservation & Inland Wetlands Commissions, Inc. (CACIWC) – magazine, *The Habitat*, Winter 2022, (digital) on website; email notice received 3/29/22**
Ms. O'Hare said this great magazine is now available in digital format only.
13. **CT DEEP Inland Wetlands Management Program, Notice re: "CT DEEP Municipal**

Inland Wetlands Agency Comprehensive Training Program” (8 modules) free, online, with certification, email received 3/30/22

Ms. O’Hare recommended this online training program especially for Commissioners Necio and Mrs. Raynis, the new members.

- 14. Letter to IWWC from James P. Cassidy, P.E., Hallisey, Pearson & Cassidy Engineering Associates, Inc., Re: Proposed Medical Office Development at 800 North Colony Road; dated 4/1/22; received 4/1/22 (Pertains to pending PZC application on development approved under IWWC #A18-1.2 / 801 No. Colony Rd. & 6 Beaumont Rd. / Padens Brook)**

Discussed above under D. Old Business, #3.

K. ADJOURNMENT

**MS. MCKEEN: MOTION TO ADJOURN THE MEETING.
MR. NECIO: SECOND.
VOTE: UNANIMOUS VOICE VOTE TO ADJOURN.**

The Meeting was adjourned at 8:42 p.m.

L. NEXT SCHEDULED REGULAR MEETNG: May 4, 2022

Respectfully submitted,

Kathleen L. Burns
Recording Secretary