

**Inland Wetlands and Watercourses Commission
Town of Wallingford
Regular Meeting
Wednesday, January 5, 2011**

The Regular Meeting of the Wallingford Inland Wetlands and Watercourses Commission was held on Wednesday, January 5, 2011, in Robert Early Auditorium, the Municipal Building, Wallingford, Connecticut.

Seated Commissioners were Jim Vitali – Chairman, Ellen Deutsch – Vice Chairperson, Nick Kern – Secretary, David Parent, James Kovach, Jim Heilman – alternate, and Environmental Planner Erin O’Hare.

Chairman Vitali called the meeting to order at 7:04 p.m.

CONSIDERATION OF MINUTES:

November 3, 2010 - Regular Meeting

MS. DEUTSCH: **MOTION TO APPROVE THE MINUTES OF THE NOVEMBER 3, 2010 MEETING AS SUBMITTED.**

MR. PARENT: **SECOND.**

VOTE: **UNANIMOUS (MR. HEILMAN ABSTAINED)**

December 1, 2010 – Regular Meeting

MS. DEUTSCH: **MOTION TO APPROVE THE MINUTES OF THE DECEMBER 1, 2010 MEETING AS SUBMITTED.**

MR. PARENT: **SECOND**

VOTE: **UNANIMOUS (MR. KOVACH ABSTAINED)**

OLD BUSINESS:

#A10-11.3 / 10 WHIFFLE TREE ROAD – Steven Kostka – (parking area and shed)

Presenting the application was Steven Kostka, owner.

Ms. O’Hare pointed out that this item is a violation as well as an application. She referred to the Environmental Planner’s Report dated December 30, 2010. Mr. Kostka wanted to begin removing fill from the abutting property so Ms. O’Hare gave him permission to do that. Mr. Kostka would like to keep the material that was brought in to provide an area for him to park his boat trailer and also an area for a small shed. Ms. O’Hare indicated that there are two issues in this case and the Commission needs to consider the activities in the upland review area and the filling in the wetland. The issue of encroaching into the open space has also been addressed by the Zoning Department.

Chairman Vitali indicated that at the last meeting it was decided that Commissioners would visit the site on their own. Commissioner Kern and Commissioner Deutsch visited the site.

Mr. Kostka stated that the boat trailer sits on the property from April until October. He would like to park the trailer perpendicular to the driveway and push it back as far as possible. Mr. Kostka stated that he has pulled out approximately 20 yards of the 45 yards of fill that was there. That fill was removed from the property.

Commissioner Kern would like to see one pine tree planted where the fill was taken out and have three (3) IWWC placards installed on posts along the property line.

Ms. O'Hare stated that she visited the site today and measured the property line. She believes the property line is different from where Mr. Kosta feels it is. Commissioner Kern would like to see what is there left alone and if there are any issues with the property line that would be handled by Planning & Zoning.

MS. DEUTSCH: **MOTION THAT APPLICATION #A10-11.3 / 10 WHIFFLE TREE ROAD BE DEEMED NOT A SIGNIFICANT ACTIVITY.**

MR. PARENT: **SECOND**

VOTE: **UNANIMOUS**

MS. DEUTSCH: **MOTION THAT APPLICATION #A10-11.3 / 10 WHIFFLE TREE ROAD BE APPROVED AS SUBMITTED WITH THE FOLLOWING CONDITIONS OF APPROVAL:**

- 1. THREE POSTS WITH IWWC PLACARDS BE INSTALLED.**
- 2. ONE OR TWO TREES BE PLANTED WHERE THE ORIGINAL TREE LINE WAS AND THE FILL WAS TAKEN OUT.**

MR. PARENT: **SECOND**

VOTE: **UNANIMOUS**

#A10-11.4 / 1363 DURHAM ROAD – Lisa Marie Carrara – (driveway entrance improvements)

Ms. O'Hare reviewed the Environmental Planner's Report dated December 30, 2011.

MS. DEUTSCH: **MOTION THAT APPLICATION #A10-11.4 / 1363 DURHAM ROAD BE APPROVED WITH THE FOLLOWING CONDITION OF APPROVAL:**

- 1. WETLAND PLACARDS BE INSTALLED WITH THE APPROVAL OF THE ENVIRONMENTAL PLANNER.**

MR. KERN: **SECOND**

VOTE: **UNANIMOUS**

#A10-11.5 / 7 OLD GATE ROAD – Mark Fenney – (removal of fill and filling associated with proposed shed)

Presenting the application was Mark Fenney, owner.

Ms. O'Hare reviewed the Environmental Planner Report dated December 30, 2010. She had expected a revised application to come in with a topography map. This issue is a violation matter as well as an application. Ms. O'Hare stated that if the proposed shed was moved out of the upland review area then the application does not need to be filed and there would only be the violation matter to deal with. The violation matter pertains to some unpermitted fill associated with a concrete slab that was installed. Ms. O'Hare recommends taking out as much fill as possible without destabilizing the concrete slab.

Mr. Fenney stated that the revised topography map would be ready tomorrow. He stated that there is a natural slope that goes from the rear of the slab to the wetlands. When he was leveling the area for the slab some of the soil spilled into that area and created approximately 3-4 feet of depth of fill on that slope. Mr. Fenney is willing to remove the fill if that is what he is directed to do.

Mr. Fenney withdrew application #A10-11.5 / 7 Old Gate Road. The Commission discussed the violation at 7 Old Gate Road, which involves the fill around the concrete slab. Mr. Fenney stated again that he would remove the fill that has traveled down the slope.

Mr. Fenney stated that he had the wetlands flagged by Soil Science and Environmental Services and he indicated that behind that slab there was always a natural slope down to the wetlands.

Commissioner Kern expressed concern for the placement of the wetland flags and the measurement of the upland review area. He also pointed out that the drain from the floor of the slab exits to the rear of the slab, which would place any flows from that area right down into the wetlands.

Commissioner Kern would like to see this item tabled so he could look at the site one more time, confer with the soils scientist and have the revised topography map for the next meeting.

The item was tabled to the February meeting.

NEW BUSINESS:

There was no new business.

RECEIPT OF NEW APPLICATIONS:

#A10-12.1 / 926, 928, & 938 NORTH COLONY ROAD – Readco Acquisitions, LLC – (modifications to existing stormwater management facilities)

Presenting the application was Attorney Dennis Ceneviva, Attorney Areanna Ceneviva, and John Whitcomb, P.E., BL Companies.

Attorney D. Ceneviva stated that this lot would total approximately 1.6 acres. The buildings have all been demolished. The plan is to relocate the existing detention basin to the easterly side of the new

site. What is proposed is a bank with multiple drive-thrus on this site. The existing basin would be replaced with a new grassed and planted basin increasing the infiltration significantly.

Mr. Whitcomb discussed the existing basin. Leaving the existing basin is a 15-inch pipe that discharges into a swale. The basin has very steep sides and is all ripped. What is proposed is a basin that will maintain the exact same volume and collect the same area of water that is collected today. The proposed bank site will not drain into this basin.

There will be infiltration swales with elevated catch basins in the front of the new site. The new basin would be planted and would be able to be mowed. The roof flows will be infiltrated. The flows from this site and the flows into the detention basin are separate until they get to the discharge point.

Mr. Whitcomb stated that if the flows from this site were to be put into the detention basin, they would have to reanalyze all of the drainage calculations for the entire area that flows into that basin. Mr. Whitcomb pointed out that the water that will be discharged from this proposed site would be less than existing conditions.

Commissioner Kern asked about where the snow would be placed and how the detention basin would be maintained. Mr. Whitcomb stated that the proposed basin would be much easier to get into as far as maintenance and it would be able to be mowed. The existing basin is very steep and the proposed basin would have sides that you would be able to walk down. Regarding trash, the proposed basin would have a four-foot fence. Commissioner Deutsch would like to see a six-foot fence around the basin. Mr. Whitcomb indicated that the snow could be placed along the front of the site where it would infiltrate. He pointed out several other areas of the lot where snow could be placed.

Mr. Whitcomb indicated that there is an oil/water/grit separator that will treat the water at discharge. The flow that will go to the swale in the front of the property will infiltrate. The discharge from the roof will be direct infiltration. There would be a high level overflow for anything over the two-year storm.

The application was continued to the February meeting.

REPORTS & COMMUNICATIONS:

1. Proposed Revised Application Form

Ms. O'Hare stated that the proposed draft revision handed out is an accumulation of many improvements that need to be made to the existing application form. She has made changes that would address items that she has found come up time after time. Ms. O'Hare asked that the Commission look over the draft and get back to her with any comments or suggestions.

2. Staff report

Ms. O'Hare stated that Commissioner Heilman and she met with representatives of Workstage. She stated that an "as built" plan has been done and everything was found to be fine except for Basin D. Basin D was never built properly and they intend to rebuild the entire basin from scratch. Commissioner Heilman stated that Workstage would be putting together a work sequence for all of the work they intend to do. He also mentioned to the Workstage people that they might want to consider some type of walking path for the employees to enjoy the surrounding areas. Ms. O'Hare

indicated Workstage wishes to make some minor modifications to the plans. Chairman Vitali indicated Workstage should discuss these changes with the IWWC at the February meeting.

Ms. O'Hare stated that she and Commissioner Heilman visited the Castertano site. Commissioner Heilman stated that the entire area is stabilized and it was very difficult to see the vegetation at this time of year but he believes that all of the vegetation that is shown on the plan has been planted.

Ms. O'Hare briefly mentioned 2 Research Parkway relative to the memorandum handed out tonight where the Engineering Department reviewed the plan for a second time, as requested by the Commission, and indicated some minor changes had been made to the satisfaction of the IWWC.

Ms. O'Hare mentioned that the court date for 216 Northford Road has been postponed to March 18th at the request of the violator.

3. **DEP IWWC Training DVD: Introduction to Map Reading & Site Plan Review – (to circulate)**
4. **DEP Notice of Tentative Determination and Intent to Waive Public Hearing – Stream Channel Encroachment – Yalesville Properties, LLC – 103 North Turnpike Road, Yalesville**
5. **DEP Notice of Permit Application – 300 Church Street – Yankee Gas Services Company – (gas regulating station construction)**
6. **DEP Permitted Pesticide Application in wetland, vegetative clearing and tree cutting – (maintenance of Rights of Way)**

Ms. O'Hare indicated the above involved CL&P) activities.

VIOLATIONS:

1. 10 Whiffle Tree Road – Steven Kostka – (filling)
Discussed earlier.

2. 7 Old Gate Road – Mark Fenney – (filling)
Discussed earlier.

ADJOURNMENT:

Commissioner Deutsch made a motion to adjourn. The motion was seconded by Commissioner Parent and passed. The meeting adjourned at 8:35 p.m.

Sonja Vining
Recording Secretary
Town of Wallingford
Inland Wetlands and Watercourses Commission