

**Inland Wetlands and Watercourses Commission
Town of Wallingford
Regular Meeting
Wednesday, December 1, 2010**

The Regular Meeting of the Wallingford Inland Wetlands and Watercourses Commission was held on Wednesday, December 1, 2010, in Robert Early Auditorium, the Municipal Building, Wallingford, Connecticut.

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

Absent: James Kovach

Chairman Vitali called the meeting to order at 7:01p.m.

CONSIDERATION OF MINUTES:

November 3, 2010 - Regular Meeting

To be taken up at the next meeting.

EXECUTIVE SESSION:

Executive Session – pursuant to Connecticut General Statutes Section 1-200 (6) (B) to discuss pending litigation: *Inland Wetlands and Watercourses Commission v. Lynn Cooke Andrews*

Chairman Vitali announced that the Commission would go into Executive Session. (7:05 p.m.)

MS. DEUTSCH: MOTION TO GO INTO EXECUTIVE SESSION PURSUANT TO CONNECTICUT GENERAL STATUTES SECTION 1 – 200(6)(B) TO DISCUSS PENDING LITIGATION: *INLAND WETLANDS AND WATERCOURSES COMMISSION V. LYNN COOKE ANDREWS*

MR. PARENT: SECOND

VOTE: UNANIMOUS

At approximately 7:55 p.m. the Commission returned.

MS. DEUTSCH: MOTION TO RETURN FROM THE EXECUTIVE SESSION PURSUANT TO CONNECTICUT GENERAL STATUTES SECTION 1-200(6)(B) TO DISCUSS PENDING LITIGATION: *INLAND WETLANDS AND WATERCOURSES COMMISSION V. LYNN COOKE ANDREWS*

MR. PARENT: SECOND

VOTE: UNANIMOUS

OLD BUSINESS:

#A10-11.1 / 2 RESEARCH PARKWAY – Worker’s Compensation Trust – (commercial development)

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

Attorney Ceneviva pointed out that there are no wetlands on the site. The amount of impervious surface for this project is what causes them to come in front of the IWWC. What is proposed is a two-story office building that will be approximately 25,680 sq.ft.

Mr. Schmitz reviewed the plan. Storm drainage for the site will be collected through catch basins on site. The stormwater runoff from the roof will be recharged in an underground system at the rear of the building. The parking lot area water will be collected through the storm drainage system and will flow through an oil/grit separator into a sand filter and eventually to the detention pond. Mr. Schmitz has spoken to both the Engineering Department and the Environmental Planner over the past month regarding storm drainage and as a result the culvert at the main driveway crossing has been eliminated.

Commissioner Heilman stated that he would like the Engineering Department to look at this plan from the perspective of high intensity storms and whether or not they might want to retain some of the flows from flooding in the Spring Lake area. Mr. Schmitz stated that the stream channel stabilization calculations were for the two-year storm but the pond does detain stormwater up to the 100-year event. The post development flows are not going to exceed the pre-development flows.

Ms. O’Hare reviewed the Environmental Planner's Report dated November 29, 2010. She indicated that she spoke to the Water & Sewer Division about this project and the Applicant has agreed to revise the grading in the area of the utility easement. Chairman Vitali pointed out that this Commission is only concerned with wetland issues. Ms. O’Hare gave some background on how the revised plan came to be.

Commissioner Heilman indicated that this plan should not be held up because of his concerns expressed earlier but he would like the Engineering Department to briefly review the plan once more. Mr. Schmitz stated that one part of the design change for the two-year storm was to move the orifice further up. Previously there would have been a dry pond but by sliding the orifice up further the pond will be more of a wet pond. Commissioner Heilman felt that was a good improvement.

MS. DEUTSCH: **MOTION TO APPROVE APPLICATION #10-11.1 / 2 RESEARCH
PARKWAY AS SUBMITTED WITH THE STANDARD CONDITIONS
OF APPROVAL.**

MR. PARENT: **SECOND**

VOTE: **UNANIMOUS**

NEW BUSINESS:

**#A09-9.2 / 51 DIBBLE EDGE ROAD – Mark and Dianne Szetela – (bond
release)**

Ms. O'Hare has visited the site and recommends that the \$2,500 erosion control bond be released.

MS. DEUTSCH: **MOTION TO RELEASE THE BOND FOR APPLICATION #A09-9.2 / 51 DIBBLE EDGE ROAD AS RECOMMENDED BY THE ENVIRONMENTAL PLANNER.**

MR. PARENT: **SECOND**

VOTE: **UNANIMOUS**

RECEIPT OF NEW APPLICATIONS:

#A10-11.2 / 220 HIGHLAND AVENUE – Greene-D.H. Woronick Builders – (subdivision development – 11 lots) – (POSSIBLE ACTION)

Presenting the application was Professional Land Surveyor Rosalind Page and Engineer Robert Hiltbrand.

Ms. Page stated that currently this parcel is occupied by a farmhouse and tree farm. What is proposed is an 11-lot subdivision with a public road servicing seven of the lots and three lots fronting Highland Avenue and Meadow Edge Drive. The property is zoned R-18 and has access to municipal water and sewer. There are no wetlands on the site. The impervious coverage would be over 20,000 sq.ft. and that is why the application is before the IWWC.

Mr. Hiltbrand reviewed the plan. This parcel is developed on all sides with residential sites and an existing school to the south. Test pits have been done on the site and a soils report submitted. The stormwater management system on the site consists of a catch basin to the roadway connected to an oil/grit separator. There will be a perforated pipe system with stone to allow for some groundwater recharge.

Mr. Hiltbrand stated that there would be approximately 38,637 sq.ft. of impervious surface on site. All of the drainage is within a storm drainage easement to be maintained by the town.

MS. DEUTSCH: **MOTION THAT APPLICATION #10-11.2 / 220 HIGHLAND AVENUE BE DEEMED NOT SIGNIFICANT ACTIVITY.**

MR. PARENT: **SECOND**

VOTE: **UNANIMOUS**

MS. DEUTSCH: **MOTION THAT APPLICATION #10-11.2 / 220 HIGHLAND AVENUE BE APPROVED AS SUBMITTED.**

MR. PARENT: **SECOND**

VOTE: **UNANIMOUS**

Chairman Vitali indicated that the provision they applied under may be revisited.

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

Ms. O’Hare pointed out that this item is both under the violations and new applications. She reviewed the Environmental Planner's Report dated November 24, 2010. There was an “after-the-fact” application submitted by the Applicant. Ms. O’Hare recommended that the Commissioners visit the site.

Ms. O’Hare stated that the Applicant has removed some of the fill material. She reported that the Applicant has also filled a wetland in the back of his lot to put up a play set. That is something the Commission should also look at. After some discussion the Commission decided that the Commissioners would visit the site individually and address the application at the next meeting.

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

Presenting the application was Lisa Marie Carrara, property owner.

Ms. O’Hare reviewed the Environmental Planner's Report dated November 23, 2010. She pointed out that this is an application as well as a violation matter. Ms. O’Hare stated that she has photos of the site if the Commission would like to look at them.

Ms. Carrara stated that she brought in approximately 10 yards of topsoil to line the sides of the driveway. She stated that the swale was left in tact so the water could flow over the driveway as originally designed. Ms. Carrara is proposing that the site be left just as it is today. The only change would be to add some low shrubs to the two mounds that she had installed on the State of CT property. Ms. Carrara explained why she made the improvements to the area. She was having trouble with people turning around and/or parking in that area. She wanted to make it look like people lived there and that it was indeed private property.

MS. DEUTSCH: MOTION THAT APPLICATION #A10-11.4 / 1363 DURHAM ROAD BE DEEMED NOT A SIGNIFICANT ACTIVITY.

MR. PARENT: SECOND

VOTE: UNANIMOUS

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

Ms. O’Hare pointed out that this is an application as well as a violation matter. The Applicant has submitted an “after-the-fact” application. There has been some unpermitted fill placed right up to the wetlands. The owner has decided to apply to put some fill in a separate area to build a shed. Ms. O’Hare stated that there are two areas of activity. One area concerns existing fill and the other area would be for proposed fill to build a shed.

Chairman Vitali clarified that there is a violation on this site and the owner is submitting an application to correct the violation. Ms. O’Hare believes that the violation area on this site is greater than the owner depicted in his application. She submitted photos of the site.

Commissioner Kern believes that the Applicant is proposing to board horses in the shed. He has concerns with where the manure will be spread or piled. The Commission discussed the possibility of an alternative location for the shed on the site. The Commissioners will visit the site individually.

REPORTS & COMMUNICATIONS:

1. 65 Hanover Street Rear – Wilford Miller – (maintenance)

Ms. O'Hare stated that she has photos of the area. She stated that it appears to be a maintenance issue. When there is a maintenance issue the owner is not required to apply to the Commission. The owner contacted the Southwest Conservation District who agrees with his plan to install riprap along the drainage way.

Commissioner Kern and Commissioner Deutsch visited the site and talked to the owner. They feel that the installation of riprap in this case would be purely a maintenance issue. Commissioner Kern and Commissioner Deutsch submitted photos for the file.

2. Staff report

Ms. O'Hare indicated that there are several development applications under construction right now that have to be buttoned-up for the winter. The Willows, 1070 North Farms Road, 47 Grove Street and Simpson Court are all sites that are opened up.

Ms. O'Hare reported that Brother's Pool is planning an expansion. They do not need an application because it does not rise to the threshold in the impervious surface area provision. The existing house is going to be demolished and an addition added to the existing building. The net impact would not require a wetland permit.

Ms. O'Hare discussed the property of Casertano who is requesting a bond release from Planning & Zoning. To get that bond release Ms. O'Hare has to sign off that the work had been done according to the plan. According to Ms. O'Hare the site looked good and was done according to the plan. Linda Bush, Town Planner, had indicated that she doesn't believe that the plantings are adequate. It was decided that Commissioner Heilman would walk the site with Ms. O'Hare to see if the plantings on site match the planting plan approved.

Ms. O'Hare stated that there are some regulation revisions that she recommends that the Commission look at in the New Year.

The following four items were noted as correspondence:

- 3. DEP IWWC Training DVD: Introduction to Map Reading & Site Plan Review – (to circulate)**
- 4. DEP General Permit Authorization for Dam Safety Repair and Alteration – Wallace Pond Dam – (fishway)**
- 5. DEP Notice of Tentative Determination to Renew Permit to Bristol-Myers Squibb Co. – laboratory, cooling, and domestic sewage wastewaters)**
- 6. DEP Notice Insufficiency – Application Re: Quinnipiac River linear trail – Phase III**

VIOLATIONS:

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

Discussed earlier.

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

Discussed earlier.

3. 475 Williams Road – Patricia Schlosser, owner, Art & Rita Pires, tenants – (post installation)

Ms. O’Hare reported that Mr. Pires has installed posts in a regulated area along his driveway. She encouraged Mr. Pires to file an “after-the-fact” application but he did not make the deadline. Chairman Vitali pointed out that Mr. Pires was told not to do anything in that area without applying for it. Ms. O’Hare stated that the Commission did not require placards be installed on this site. Commissioner Kern suggested that Mr. Pires be directed to install placards on the posts that have been installed along the driveway. The Commission will take this up at the next meeting.

ADJOURNMENT:

Commissioner Deutsch made a motion to adjourn. The motion was seconded by Commissioner Kern and passed. The meeting adjourned at 9:27 p.m.

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