

**Inland Wetlands and Watercourses Commission  
Town of Wallingford  
Regular Meeting  
Wednesday, May 2, 2012**

The Regular Meeting of the Wallingford Inland Wetlands and Watercourses Commission was held on Wednesday, May 2, 2012, in Room 315, Town Hall, 45 South Main Street, Wallingford, Connecticut.

Seated Commissioners were Ellen Deutsch – Vice Chairperson, Nick Kern - Secretary, Dave Parent, Dennis Murphy, Deborah Phillips – alternate, Jim Heilman – alternate and Environmental Planner Erin O’Hare.

Absent: Jim Vitali – Chairman

Acting Chairperson Deutsch called the meeting to order at 7:00 p.m.

**CONSIDERATION OF MINUTES:**

April 4, 2012 – Regular Meeting

Commissioner Kern made a correction to Page 3.

**MR. KERN:**                    **MOTION TO APPROVE THE MINUTES OF THE APRIL 4, 2012 MEETING AS AMENDED.**

**MR. MURPHY:**            **SECOND**

**VOTE:**                        **UNANIMOUS**

**OLD BUSINESS:**

**#A12-4.3 / 7 Laser Lane – APS Technologies – (industrial addition)**

Ms. O’Hare reviewed the Environmental Planner's Report dated April 26, 2012. She stated that the Applicant is requesting that the application be tabled to allow them more time to gather information.

The Commissioners agreed to table the application to the June meeting.

**NEW BUSINESS:**

**#A11-4.1 / 404, 408, and 412 MAIN STREET, YALESVILLE – Larry DeAntonio – (extension of one-year commencement)**

Ms. O’Hare reviewed the Environmental Planner's Report dated April 26, 2012. She indicated that the Applicant is requesting an extension of his one year commencement period. Ms. O’Hare recommended that the Commission grant the one-year extension.

**MR. KERN:**                    **MOTION TO GRANT A ONE-YEAR EXTENSION TO THE COMMENCEMENT PERIOD TO APPLICATION #A11-4.1 / 404, 408, AND 412 MAIN STREET, YALESVILLE.**

**MR. MURPHY:**            **SECOND**

**VOTE:**                    **UNANIMOUS**

**#A10-7.2 / 206 MAIN STREET** – Alberto DiChello – (release of bond)

**VIOLATION:** #A10-7.2 / 206 MAIN STREET – Albert Dichello –(permit activities exceeded)

Ms. O’Hare reviewed the Environmental Planner’s Report dated April 26, 2012. She recommended that the bond be released.

**MR. KERN:**                **MOTION TO RELEASE THE BOND FOR APPLICATION #A10-7.2 / 206 MAIN STREET.**

**MR. MURPHY:**            **SECOND**

**VOTE:**                    **UNANIMOUS**

Acting Chairperson Deutsch stated that the violation issue for application #A10-7.2 / 206 Main Street has been resolved.

**RECEIPT OF NEW APPLICATIONS:**

**#A12 – 4.4 / 6 BARTHOLOMEW LANE** – James & Jere Sirkis – (garage)

**#A12 – 4.5 / 8 NORTHROP INDUSTRIAL PARK ROAD WEST** – 1070 North Farms Road, LLC – c/o John Orsini – (industrial development)

Acting Chairperson Deutsch received the above applications.

**REGULATION AMENDMENTS:**

- 1. Proposed provision amendment**

Ms. O’Hare handed out the “Proposed Amendment to Section 7: Application Requirements”. The Commission will review the proposed amendment to be discussed at a future meeting. Ms. O’Hare will continue to work on other sections of the regulations.

**REPORTS & COMMUNICATIONS:**

- 1. Staff report, dated 4/26/12**
- 2. CT Federation of Lakes – March 2012 newsletter & membership renewal**

**MR. KERN:**                **MOTION TO RENEW THE MEMBERSHIP TO THE CT FEDERATION OF LAKES.**

**MR. MURPHY:**            **SECOND**

**VOTE:**                    **UNANIMOUS**

- 3. DEEP Permit Application – Use of Pesticides in State Waters: pond, 5 Research Parkway - Bristol Myers Squibb**

- 4. CT Assoc. of Inland Wetlands and Conservation Commissions – CACIWC newsletter**

## **VIOLATIONS:**

### **#A10-7.2 / 206 Main Street – Albert Dichello – (permit activities exceeded)**

Discussed earlier.

### **155 East Street – ThermoSpas – (storage of materials, stormwater facility maintenance)**

Ms. O'Hare indicated that she has been in contact with the owner's representative and he will be appearing before the Commission at the June meeting.

### **856 Clintonville Road – Paul Witik – (alteration and sedimentation of stream, clearing & regarding of wetlands and upland review area)**

Mr. Witik was present. Ms. O'Hare stated that a Notice of Violation was sent out on April 17, 2012. She distributed photos of the site. Ms. O'Hare visited the site and had requested that erosion controls be installed. Mr. Witik and his contractor were cooperative and installed the erosion controls as requested. She indicated that Mr. Witik has cleaned out the stream and the wetland area along with creating a flat area for a soccer field. Ms. O'Hare stated that the Commission should decide if it would like Mr. Witik to apply for an after-the-fact application, restore the wetland area, create a detention basin or what action would it like to see taken.

Ms. O'Hare stated that she was told by the Public Works Department that the catch basins in the area would be cleaned out on Friday.

Ms. O'Hare stated that an area of wetlands 80 feet long by 20-40 feet wide has been disturbed. There is also some disturbance outside the wetlands.

Mr. Witik apologized to whoever he offended by trying to clean up his backyard. When he discussed the project with his contractor the contractor told Mr. Witik that since he was just grading the high area to the low area and making it level, a permit would not be required. No fill was being brought in or out of the site. Mr. Witik hired Soil Sciences of Cheshire to flag and map the area. The area of the proposed soccer field was not flagged as wetlands. Mr. Witik provided the Commission with documentation from Soil Sciences of Cheshire along with a survey done by Rosalind Page, Surveyor, and one from Soil Sciences of Cheshire.

Chairperson Deutsch indicated there were two issues: the stormwater issue and the wetlands issue.

Mr. Witik had suggested to Ms. O'Hare that he install a storm basin at the point where the pipe comes out of the road on his property. Ms. O'Hare indicated that the basin would have to be sized and have riprap installed.

Commissioner Kern suggested that Public Works be involved with this site as a maintenance project. Ms. O'Hare indicated that on Friday the Town will be cleaning out those catch basins and perhaps cleaning out that pipe. Commissioner Kern suggested that Ms. O'Hare write the Engineering Department and ask that they install some riprap in the area. Ms. O'Hare stated that she did approach the Engineering Department but it declined to get involved. Commissioner Kern feels that if it is Town stormwater then Mr. Witik should not be responsible for addressing the issue personally. He would like to see the Public Works Department install the basin discussed by Mr. Witik.

Commissioner Heilman stated that he would like to see this submitted as an application and the Town fees waived. He agreed that the Town should incur some of the cost for installing the basin suggested.

The Chairperson scheduled a site walk, Special Meeting for May 14<sup>th</sup> at 5:15 p.m. The application was tabled to the June meeting.

**ADJOURNMENT:**

Commissioner Kern made a motion to adjourn. The motion was seconded by Commissioner Parent and passed. The meeting adjourned at 8:10 p.m.

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