

**Inland Wetlands and Watercourses Commission  
Town of Wallingford  
Regular Meeting  
Wednesday, June 6, 2012**

The Regular Meeting of the Wallingford Inland Wetlands and Watercourses Commission was held on Wednesday, June 6, 2012, in Council Chambers, Town Hall, 45 South Main Street, Wallingford, Connecticut.

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

Chairman Vitali called the meeting to order at 7:00 p.m.

**CONSIDERATION OF MINUTES:**

May 2, 2012 – Regular Meeting

**MS. DEUTSCH:      MOTION TO APPROVE THE MINUTES OF THE MAY 2, 2012 MEETING AS SUBMITTED.**

**MR. MURPHY:      SECOND**

**VOTE:              UNANIMOUS**

May 14, 2012 – Special Meeting

**MS. DEUTSCH:      MOTION TO APPROVE THE MINUTES OF THE SPECIAL MEETING DATED MAY 14, 2012 AS SUBMITTED.**

**MR. MURPHY:      SECOND**

**VOTE:              UNANIMOUS**

**NEW BUSINESS:**

**INFORMATIONAL PRESENTATION – CONNECTICUT LIGHT & POWER – 77 High Hill Road/Carpenter Lane – Beseck Switching Station – (installation of shunt reactor)**

Making the presentation was Marsha Wellman, Northeast Utilities and Jeff Martin, Project Manager.

Mr. Martin reviewed a packet of materials distributed. The plan is for a small expansion of the footprint of the Beseck Switching Station. A new piece of equipment called a shunt reactor is proposed to be installed. A shunt reactor controls voltage on the system. In order to accommodate the expansion there will be a nominal amount of earth work to realign the existing access road. There will be no direct

impact to the wetland. There will be erosion and sedimentation controls installed. A petition is to be approved by the CT Siting Council. There is no local jurisdiction.

Mr. Martin indicated that the work is scheduled to begin work in the fall of this year. Most of the civil work would be done in early 2013 and the shunt reactor would be in service in the 3<sup>rd</sup> quarter of 2013.

Once the access road is complete it would be approximately 29 – 30 feet from the wetland. The limits of disturbance have not been determined yet. The IWWC will be receiving a final set of plans as well as all contact information for the construction phase.

**OLD BUSINESS:**

**IWWC #A12-4.3 / 7 LASER LANE – APS Technologies – (industrial addition)**

No one was present to representing the Applicant.

Ms. O'Hare stated that there has been no submittals or further information that has come in since the receipt of the application. She spoke to the project engineer last week who indicated that some revision would be coming in. Ms. O'Hare has not received any materials at this time. There has been no letter submitted permitting an extension.

**MR. KERN:**                    **MOTION THAT APPLICATION IWWC #A12-4.3 / 7 LASER LANE BE DENIED WITHOUT PREJUDICE.**

**MS. DEUTSCH:**            **SECOND**

**VOTE:**                        **UNANIMOUS**

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

Presenting the application was James and Jere Sirkis.

Ms. Sirkis stated that they would like to install a prefabricated garage on their property. The garage would encroach slightly on the upland review area line. The garage would be a detached two-car and measure approximately 22' x 26'. The garage would have a crushed stone wood floor foundation instead of concrete. The water would be able to flow under the garage.

**MS. DEUTSCH:**            **MOTION THAT APPLICATION IWWC #A12-4.4 / 6 BARTHOLOMEW LANE BE DEEMED NOT A SIGNIFICANT ACTIVITY.**

**MR. MURPHY:**            **SECOND**

**VOTE:**                        **UNANIMOUS**

**MS. DEUTSCH:**            **MOTION TO APPROVE APPLCATION IWWC #A12-4.4 / 6 BARTHOLOMEW LANE WITH THE FOLLOWING CONDITIONS OF APPROVAL:**  
**1. SILT FENCING TO BE INSTALLED IMMEDIATELY DOWNGRADIENT OF THE SITE AT THE PROPOSED EDGE OF**

**ACTIVITY AREA AND INSTALLATION TO BE INSPECTED PRIOR TO COMMENCEMENT OF FURTHER WORK.**

2. **CARE TO BE TAKEN IN VICINITY OF CURTAIN DRAIN PIPE AVOIDING FILL AND/OR EXTENDING THE PIPE IF NECESSARY.**
3. **IWWC PLACARDS TO BE INSTALLED AT EDGE OF WOODS/LAWN INTERFACE AT 100 FOOT INTERVALS.**

**MR. MURPHY:**                      **SECOND**

**VOTE:**                                      **UNANIMOUS**

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

Ms. O'Hare indicated that a letter of withdrawal was received on May 31, 2012. The Applicant is working on a redesign of the layout.

**NEW BUSINESS:**

**IWWC #D12-5.1 / 526 SOUTH CHERRY STREET – BYK USA, Inc. & 530 South Cherry Street – Covanta Projects of Wallingford – (request for determination of nonjurisdiction relative to filling storm basin, activities in stormwater swale, and storm flow discharge to groundwater)**

Presenting the application was Attorney Marianne Barbino Dubuque and Jim Ferishy, Process Engineer, BYK USA, Inc.

Chairman Vitali gave an overview of what is being reviewed. This site is very unique. Because water never leaves this site it doesn't tie into any existing drain. Chairman Vitali indicated that the issue is if BYK needs a wetland permit or not. It has been determined by the Corporation Counsel and the Environmental Planner that this does not fall within the regulations of the IWWC.

Attorney Dubuque stated her position in this case.

**MS. DEUTSCH:**                      **MOTION THAT THE WALLINGFORD IWWC DOES NOT HAVE JURISDICTION IN THIS CASE AS STATED IN THE ENVIRONMENTAL PLANNER'S REPORT DATED MAY 31, 2012.**

**MR. KERN:**                              **SECOND**

**VOTE:**                                      **UNANIMOUS**

**RECEIPT OF NEW APPLICATIONS:**

**IWWC #A12-6.1 / 856 CLINTONVILLE ROAD – Paul Witik – (improvements to stream and yard, installation of pond, installation of access way)**

Presenting the application was Surveyor Rosalind Page, and Applicant Paul Witik.

Mr. Witik would like to level out an area 30 foot by 60 foot in his yard.

Ms. O'Hare has visited the site and been working with Ms. Page and Mr. Witik. She indicated that the requested after-the-fact application should be received this evening. There is also a pending violation matter. Ms. O'Hare received the plan June 5<sup>th</sup> and has reviewed it. She stated that she did not realize how much stone is being proposed to be installed. She was unaware that there was a pond being proposed that would be stone lined.

Ms. Page reviewed the proposed plan including the wetlands. There will be a riprap-lined plunge pool approximately 9'x8' located at the outfall of the catch basin. There will be an area for trash and silt cleanout. The riprap would continue within that 2 foot wide watercourse channel all the way down to the existing wood bridge. Mr. Witik would like to create a seasonal pond. The pond would most likely only function during storm events. Ms. Page believes that most of the time the pond would be dry.

There was some discussion of these activities satisfying the violation rather than being part of an application. Commissioner Heilman stated that there is work that should be done immediately as remediation. The area needs to be stabilized, which should be considered remediation and then the final designs should be considered the application. Mr. Witik would like to start as soon as possible.

Chairman Vitali doesn't feel that the plan is ready to be approved although he would feel comfortable with certain activities to remediate the violation. The Commission indicated that Mr. Witik would be allowed to straighten out the brook according to the plan up to the outlet of the pond. Mr. Witik could also grade and seed the upland review area. These activities would be considered remediation of the violation. All sedimentation and erosion controls are to remain in place and are to be maintained.

Mr. Witik would continue to work with Ms. O'Hare and present the plan at the next meeting, July 18<sup>th</sup>.

Chairman Vitali received the application.

**IWWC #A12-6.2 / 3 FAIRFIELD BOULEVARD** – Mark J. Papa, L.A., LLC – (parking area)  
Chairman Vitali received the above application.

## **REGULATION AMENDMENTS:**

### **1. Proposed provision amendment – Section 11**

Ms. O'Hare indicated that tonight's handouts are proposed revisions. The Commission will schedule a workshop in the future to review these amendments.

## **REPORTS & COMMUNICATIONS:**

### **1. Staff report, dated 5/31/12 –**

Received by the Commission

### **2. Notification of Aquatic Pesticide Application – Ashlar Village, Cheshire Road**

### **3. Notification of Aquatic Pesticide Application – Fieldstone Farm, Grieb Road**

Ms. O'Hare explained that, henceforth, the Commission will receive notification of an application submitted in advance from the DEEP and within 48 hrs. of treatment from the Applicators.

## **VIOLATIONS:**

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

Ms. O'Hare was expecting ThermoSpas to be present at this meeting, however at the last minute a representative was unable to attend. Ms. O'Hare spoke to the representative for ThermoSpas and he indicated that remediation work is beginning tomorrow on this site. Ms. O'Hare stated that ThermoSpas is under orders from the DEEP for remediation of oil impacted soil. Fifteen tons of contaminated soils

are to be removed from the site. There will also be maintenance work done on the storm channel and the hot tubs will be removed as part of that order.

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

**ADJOURNMENT:**

Commissioner Kern made a motion to adjourn. The motion was seconded by Commissioner Deutsch and passed. The meeting adjourned at 8:32 p.m.

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