

**Inland Wetlands and Watercourses Commission
Town of Wallingford**

**REGULAR MEETING
Wednesday, July 1, 2009**

The Regular Meeting of the Wallingford Inland Wetlands and Watercourses Commission was held on Wednesday, July 1, 2009, in Council Chambers, the Municipal Building, Wallingford, Connecticut.

Seated from the Commission were Jim Vitali – Chairman, Ellen Deutsch – Vice Chairperson, Nick Kern – Secretary, Jeff Kohan, Jim Heilman – alternate, and Environmental Planner Erin O’Hare.

Chairman Vitali called the meeting to order at 7:02 p.m.

CONSIDERATION OF MINUTES:

June 3, 2009 - Regular Meeting

Ms. Deutsch made a motion to approve the June 3, 2009 – Regular Meeting Minutes. The motion was seconded by Mr. Kohan and passed. Chairman Vitali abstained from voting as he was not present on June 3.

OLD BUSINESS:

#A04-8.4 / 1425 TUTTLE AVENUE – W&W Properties (aka Gaylord Farms Road – Cheshire Crossing – Pulte Homes) – (release of bond)

Representing the Applicant was Attorney Joan Molloy.

Ms. O’Hare pointed out to the Commission that this application appears under New Business as well for a permit extension. She referred to the Environmental Planner’s Report dated June 26, 2009. Ms. O’Hare is recommending that the bond not be released at this time. The permit expires September 14, 2009. Attorney Molloy stated that there are a couple of things that are still being worked out in terms of complying with the approval.

Ms. O’Hare stated that there is a \$40,000 bond. There is \$20,000 for the stormwater management and the erosion control. She indicated that the erosion control on site is fine and the stormwater system is in with the exception of the Vortecnic units. The other \$20,000 pertains to foundation locations. Ms. O’Hare was not the Environmental Planner at the time this application was originally approved so she is not sure of the thinking of the Commissioner as far as what was intended with

this bond on the foundation locations. She has visited the site and had forwarded a letter to Chairman Vitali including all of her questions and concerns raised by her site visit. Ms. O'Hare found some discrepancies when comparing the "As Built" drawings with the plan that was approved and with the actual field conditions. She has met with the Applicant to try and work out the differences. She did not know if the Commission was concerned about expansion of the limit of the approved unit foundation if that foundation was still out of the regulated area.

Attorney Molloy stated that she did meet with Ms. O'Hare as well as representatives from Pulte Homes. At that meeting they went through the list and looked at all of the units surrounding the regulated area. It was determined at that time that there were only two units that may be in question. At Unit #6, 17 Wadsworth Lane, there is an enclosed deck on piers. The other is Unit #14, 33 Wadsworth Lane, which has a sunroom on piers. In both of these cases some of the piers may be in the regulated area. All other units are out of the regulated area.

Attorney Molloy indicated that she will meet with Ms. O'Hare before the next meeting to review the plan to make it clear to the Commission what units are in question and what the issues are with those units. After further discussion, Ms. O'Hare did agree that the two units in question are Unit #6 and Unit #14.

Ms. O'Hare stated that there are several gardens that have been placed within the buffer area. She asked for direction from the Commission on how to handle that issue. Ms. O'Hare indicated that originally the buffer area was woods and now flower gardens have been planted around the trees and in the area. She feels that these gardens will keep expanding and growing in numbers if nothing is done. Ms. O'Hare doesn't believe that these gardens are having any negative impact on the wetlands. The wetland plaques are in place on these lots but people have planted around them.

Mr. Kohan feels that Ms. O'Hare should be in contact with the homeowners association to make it clear that these gardens should not be placed within the buffer area. Mr. Kern believes that it should have been made clear in the deed or somewhere that this activity is not allowed within the buffer. Attorney Molloy indicated that she has had some discussion with the homeowners association and is planning to amend the Declaration to make the language more detailed in regard to wetland issues.

The application for the bond release was tabled to the August meeting.

Chairman Vitali indicated that he would be hearing the new request for the same Applicant at this time.

#A04-8.4 / 1425 TUTTLE AVENUE – W & W Properties (aka Gaylord Farms Road – Cheshire Crossing – Pulte Homes) – (permit extension)

MS. DEUTSCH: MOTION THAT PERMIT #A04-8.4 / 1425 TUTTLE AVENUE IS GRANTED A ONE-YEAR PERMIT EXTENSION.

MR. KOHAN: SECOND

VOTE: **UNANIMOUS**

#A09-6.1 / 8 RYAN DRIVE – Danny & Leonor Hall – (yard & pond improvements)

Ms. O'Hare stated that this application is for building a patio and to clean out one swale and one small stream on the property. She referred to the Environmental Planner's Report dated June 26, 2009. Ms. O'Hare stated that no plants were installed yet as part of the remediation plan. The owner indicated to her that was because there has been so much rain. Ms. O'Hare believes that the violation should remain open until the approved remediation plan is installed. She reviewed her suggested conditions of approval from her Environmental Planner's Report. Mr. Heilman would like to see the violation taken care of before they begin working on this application.

MR. HEILMAN: **MOTION TO APPROVE APPLICATION #A09-6.1 / 8 RYAN DRIVE WITH THE FOLLOWING CONDITIONS OF APPROVAL:**

1. **PROPOSED WORK IS NOT TO COMMENCE UNTIL THE REMEDIATION PLANTING PLAN IS INSTALLED. THE LATTER MUST OCCUR PRIOR TO OCTOBER 15, 1009. ENVIRONMENTAL PLANNER IS TO BE CONTACTED TO INSPECT SAID INSTALLATION AND TO AUTHORIZE COMMENCEMENT OF WORK APPROVED UNDER IWWC #A09-6.1.**
2. **WORK IN THE SMALL WATERCOURSE AND DRAINAGEWAY ARE TO BE COMMENCED ONLY WITH A DRY FORECAST.**
3. **HAY BALES ARE TO BE INSTALLED AT THE OUTLET OF THE SMALL WATERCOURSE JUST UPGRADIENT OF THE POND AND AT THE OUTLET OF DRAINAGEWAY PRIOR TO INITIATION OF WORK IN THE SMALL WATERCOURSE AND DRAINAGEWAY (RESPECTIVELY). MATERIAL REMOVED IS NOT TO BE DEPOSITED IN THE REGULATED AREA.**
4. **NO CHANGES TO THE PROPOSAL ARE TO BE EFFECTED.**

MS. DEUTSCH: **SECOND**

VOTE: **UNANIMOUS**

**#A07-8.4 / 890 NORTH COLONY ROAD – 890 North Colony Road, LLC (modification to permit)
#A04-7.4/890 & 930 NORTH COLONY ROAD - STOP & SHOP SUPERMARKET COMPANY - (permit extension)**

Presenting the application was Attorney Dennis Ceneviva and Tim Onderko, Langan Engineers.

Attorney Ceneviva gave some brief history on this site. The plan is to add 15,000 square feet to the existing building, (a 5,000-s.f. footprint) which would in turn need additional parking. The only area available on this site for additional parking is over the westerly detention basin.

Mr. Onderko indicated that in 2007 there was a plan approved that is basically what you see on the site today. Since that time there has been some discussion of the possible need for additional parking. The large basin along North Main Street takes roof water from Stop & Shop, half of the roof water from the Midstate building and the eastern half of the parking lot. The small basin in the southwest corner takes the remainder of the parking and the other half of the Midstate roof water. Midstate is proposing an expansion to the east side of the building of 15,000 square feet. To satisfy the parking demand for the new square footage they are proposing to take the small detention pond and convert it to an aluminized steel perforated subsurface pipe system. Mr. Onderko reviewed the plan for the new parking area. There will be a Vortecnic unit that will collect and treat the surface runoff from the parking lot. There will be two new catch basins that have deep sumps. This system is sized to greater than the 100-year storm. Mr. Onderko stated that should the system fail to drain properly, they have created a low point in the parking lot for additional storage until the system can work itself out. There will also be a 6-inch curb around the parking lot.

Mr. Onderko reviewed the sediment and erosion control plan. Mr. Onderko indicated that the plan that was previously approved included a meadow mix for the pond with several trees ringing the perimeter. With the parking lot configuration there would be approximately 200 perennials, 110 shrubs, 125 ground cover plants and the existing trees would be relocated in the new parking field.

Mr. Onderko indicated that there are 76 parking spaces in the proposed new parking area. This proposed parking lot elevation is at 83 and the elevation of the Stop & Shop lot is at 85. The original parking lot is proposed to be 326 spaces total.

Mr. Heilman indicated that he does not feel comfortable with the water being piped rather than having the benefits of grass filtration and exposure to sunlight. Mr. Kern, Ms. Deutsch, and Chairman Vitali agreed with Mr. Heilman that it is not a good idea to eliminate that open retention pond.

Chairman Vitali asked what other options the Applicant has explored. Mr. Onderko suggested that he could look at using the area between Burger King and the strip mall for retention. There is the possibility that the existing detention pond could be expanded. Chairman Vitali directed the Applicant to review the plan to see if they can come up with an alternate plan using above ground retention and infiltration. Ms. O'Hare suggested infiltrating the clean roof water that discharges to the small basin to reduce need for capacity in the additional basin.

Attorney Ceneviva indicated that he submitted a letter asking for an extension of the permit. He would like the permit extended by one year.

MS. DEUTSCH: MOTION THAT PERMIT #A04-7.4 / 890 & 930 NORTH COLONY ROAD PERMIT BE EXTENDED BY ONE YEAR.

MR. KOHAN: **SECOND**

VOTE: **UNANIMOUS**

#A09-6.2 / RESKIN DRIVE – Town of Wallingford – (bridge replacement)

Presenting the application was Assistant Town Engineer Rob Baltramaitis.

Mr. Baltramaitis stated that the application is for the replacement of the culvert under Reskin Drive that conveys Lyman Hall Brook. The existing structure was installed in 1971. It is a three-sided, pre-cast concrete structure on footings. Back in 2008 there was a severe storm that caused damage to the culvert and to the headwall. The plan being presented is for a full replacement of the existing structure which is undersized for the watershed. The Department of Engineering presented the Commission with a four-page, detailed narrative of the project. Mr. Baltramaitis reviewed the details of the letter. He presented photos of a similar system of when it was installed and after vegetation grew through it. This is going to be a Public Works project. They are proposing a stream bypass pipe installed to the west side of the existing culvert in the construction area. The stream will flow by gravity but they will need to dewater. The same crew that did the Christian Street Bridge will be working on this project as well. He indicated the steel used in the gabion baskets has a 50-75 year longevity.

Mr. Baltramaitis indicated that he has worked with Ms. O'Hare to develop some suggested conditions of approval a copy of which he then distributed to the IWWC.

MS. DEUTSCH: **MOTION THAT APPLICATION #A09-6.2 / RESKIN DRIVE IS DEEMED NOT SIGNIFICANT ACTIVITY.**

MR. KOHAN: **SECOND**

VOTE: **UNANIMOUS**

MS. DEUTSCH: **MOTION THAT APPLICATION #A09-6.2 / RESKIN DRIVE IS APPROVED WITH THE FOLLOWING CONDITIONS OF APPROVAL:**

- 1. THE APPLICANT SHALL PREPARE AND SUBMIT A DETAILED RESTORATION/PLANTING PLAN TO THE SATISFACTION OF THE ENVIRONMENTAL PLANNER WHICH ADDRESSES DIVERSITY OF PROPOSED PLANTINGS ALONG THE STREAM BANK AND A PERMANENT LAWN RESTORATION.**
- 2. THE APPLICANT SHALL REMOVE THE HEAVY INFESTATION OF INVASIVE SPECIES (ORIENTAL BITTERSWEET) WITHIN THE ANTICIPATED CONSTRUCTION LIMITS. THE**

- APPLICANT SHALL COORDINATE THE REMOVAL LIMITS WITH THE ENVIRONMENTAL PLANNER.**
- 3. IN LIEU OF CONSTRUCTING DE-WATERING BASINS ON EXISTING SLOPES AND ADJACENT TO THE STREAM BANKS, THE APPLICANT SHALL UTILIZE GEOTEXTILE DEWATERING FILTER BAGS TO TREAT PUMP EFFLUENT BEFORE DISCHARGING TO BROOK.**
 - 4. MODIFY THE CONSTRUCTION PHASING PLAN (SHEET C-4) AS FOLLOWS:**
 - A. ADD THE REQUIRED EROSION CONTROLS FOR EACH CONSTRUCTION PHASE;**
 - B. ADD REMOVAL OF TEMPORARY CONCRETE BLOCKS TO PHASE 5 TASKS;**
 - C. DEPICT LIMITS OF CONCRETE FOOTING IN PHASE 6.**
 - 5. PLANTING SHALL BE PERFORMED DURING THE FALL 2009 PLANTING SEASON (SEPTEMBER 15TH THROUGH OCTOBER 30TH).**

**#A09-6.3 / 134 GROVE STREET EXTENSION – Edward Beauvais –
(residential lot)**

Presenting the application was Mr. Edward Beauvais.

Chairman Vitali stated that this application ties to item #1 under Violations on the agenda so the Commission would be discussing both issues together.

Ms. O'Hare stated that the Cease & Desist remains in effect. She reviewed her Environmental Planner's Report dated June 26, 2009. She noted that Mr. Beauvais cannot find the original plan that would be dated 2005. Ms. O'Hare stated that the area of the unpermitted fill is shown on the drawings and the Project Engineer has said that there is approximately 50 cubic yards of fill there and he is asking that 18 cubic yards more be brought in. The Applicant is asking to construct a driveway now and approve grading and drainage relative to a future homesite.

Chairman Vitali indicated that currently the biggest concern of the Commission is the proposed driveway crossing of the wetlands. The drawings do not show any detail regarding the culvert. Ms. O'Hare stated that she has forwarded the plan to the Department of Engineering and Rob Baltramaitis, Assistant Town Engineer, had indicated to her today that he had no comments. Ms. O'Hare doesn't agree with the placement of the sediment basin as the stream traverses it and she would like to have it moved. Chairman Vitali doesn't feel that this application has enough detail included for this Commission to approve it tonight. Mr. Kern would like to know exactly what has been done on the site and what is left to do according to the plan.

Ms. O'Hare suggested some conditions of approval if the Commission chooses to move forward with this application. She would like to have the temporary sediment basin moved up. She wants

disturbed areas seeded with a wetland conservation mix. There can also be some mitigation plantings. Chairman Vitali doesn't feel like this application is complete enough for the Commission to approve. Mr. Kern would like to have Ms. O'Hare visit the site to be sure that what is proposed is going to work.

Chairman Vitali indicated that the application would be tabled to the August meeting so the Applicant has an opportunity to work with Ms. O'Hare and add the details that the Commission would like to see.

NEW BUSINESS:

#A09-6.5 / 1070 NORTH FARMS ROAD – John Orsini – (industrial development)

Presenting the application was Emile Pierides, P.E., BL Companies.

Mr. Pierides gave a brief presentation overview of the application. This lot is approximately 5.1 acres in size. It was originally approved by the Commission back in 2002 as part of a 9-acre industrial subdivision. The lot being discussed is Lot 1C. The original permit expired back in 2007. There are no wetlands or upland review area disturbances. What is being proposed is a 45,000 sq.ft. building with 92 parking spaces, which works out to 52% open space. The impervious coverage is just about the same as previously approved back in 2002. There is no work proposed within 100 feet of the wetlands. They are proposing all on-site catch basins. All of the storm water will be piped underground. All catch basins will have two-foot sumps and hooded outlets. There will be two water quality structures before the storm water drains into the existing swale. The roof runoff will run through a 24-inch perforated pipe before entering the swale. The swale directs the water to an existing detention pond and has been calculated to incorporate development on this site.

There was discussion of the timing of the meetings of Planning & Zoning and the IWWC in August. Mr. Kern stated that he believes the August IWWC meeting can be changed back to the first Wednesday in August. If that is the case, the Applicant would have no problems appearing at the August P&Z meeting.

Mr. Kern would like to see some language added to the plan regarding a maintenance plan for the large detention pond and have any maintenance activities been conducted as required? Mr. Pierides indicated that he would do that. He will work with Ms. O'Hare to address the concerns of the Commission before the August meeting.

Chairman Vitali acted to cancel the Regular Meeting August 12th. Chairman Vitali set a Special Meeting date for August 5, 7:00pm for the purpose of conducting the business of the IWWC that was to be conducted at the August 12th meeting.

**#A04-7.4 / 890 & 930 NORTH COLONY ROAD – Stop & Shop
Supermarket Company – (permit extension)**

Permit extension granted earlier, (see above).

**#A02-6.12 / 63 GRIEB ROAD – Fieldstone Farm – Baker Residential
LLC – (release of bond)**

Ms. O'Hare stated that they are asking for the release of the balance of the bond money. There is \$7,000 left that covers the open space plan. She stated that what remains is the bat boxes have to be raised and there is an issue with flooding on one of the abutting properties. The resident stated that the flooding has made his backyard so that he cannot even mow it anymore. He stated that Baker Residential has planted trees for him but they all died. Ms. O'Hare stated that she has a meeting scheduled next week to meet on this property with Baker Residential to look at the problem. The issue of mowing was brought up. Ms. O'Hare indicated that she has spoken to the President of the Homeowners' Association and he would like to see it mowed more than once a year. Ms. O'Hare stated that they recently had mowed a grass path through the open space area. According to the plan, the Southern Open Space Plan was supposed to be mowed between October and March and they mow it in June. Chairman Vitali feels that those specific times for mowing were given for a reason and the plan should be followed. Mr. Kern is concerned that invasive species are going to take over the area. He would like Ms. O'Hare to look into it and see what is going on with the annual cutting. Ms. O'Hare indicated that the President of the Homeowners' Association has gotten a quote from a consultant on that issue.

**#A04-8.4 / 1425 TUTTLE AVENUE – W & W Properties (aka Gaylord
Farms Road – Cheshire Crossing – Pulte Homes) – (permit extension)**

Permit extension granted earlier, (see above).

**#A09-6.6 / 3 FAIRFIELD BOULEVARD – Bear Industries, LLC –
Peter Gavin – (modification to permit)**

The application was received by Chairman Vitali.

VIOLATIONS:

- 1. 134 Grove Street Extension – Edward J. & Doreen Beauvais – (cease & desist – filling)**

Discussed earlier. The Cease & Desist remains in effect.

2. 8 Ryan Drive – Danny & Leanor Hall – (alteration of wetlands)

Discussed earlier.

REPORTS & COMMUNICATIONS:

1. #A09-6.4 / 1193 Durham Road – Peter Orsini – (drainage)

Relative to the 1193 Durham Road application, Chairman Vitali indicated that there was a request for administrative approval but since it was submitted so close to the meeting he would like the Commission to discuss it. Ms. O'Hare stated that there are two pipes that are being proposed. One pipe is for the roof leaders and the other is for what the Applicant is calling a surface drain. The surface drain is to eliminate standing water in front of the walkout basement. On this site, the house is in the wetlands and the proposed pipes are in the wetlands lawn area and the water is being conveyed to a natural wetland. At the discharge point, the Applicant is proposing some crushed stone. Ms. O'Hare stated that she isn't sure it is going to work. There is no negative impact to the wetlands. The Commission would like the Applicant either pull back the crushed stone a few feet out of the marsh area or eliminate it completely if its not really necessary to prevent erosion. The Commission agreed that Chairman Vitali could give administrative approval. The Applicant will be directed to remove the crushed stone unless he can give a good reason why he was proposing it.

2. DEP IWWC Training Workshop, May 27 – staff report & handouts

Ms. O'Hare indicated that she would like to defer this to the next meeting.

3. #A05-10.2 / 110 Leigus Road – Workstage – Connecticut, LLC – (maintenance)

Representing the Applicant was Attorney Joan Molloy. Ms. O'Hare indicated that some of the work that was directed by the Commission at the last meeting was not done. She stated that there was a June 12th deadline for certain maintenance items. At that time, there were a couple of items that were not addressed so she contacted Chairman Vitali and she was told to just wait and see if the items were done by the July meeting. Ms. O'Hare visited the site on May 7th and then again two weeks ago. She indicated that the meadow was mowed and the channel was cleaned out. Mr. Bob Heilman, an abutting property owner, has spoken to Ms. O'Hare and he doesn't feel that the channel was dredged out only cut along the banks. Ms. O'Hare gave some history on the swale that flows from the Heilman property to the Workstage site.

Attorney Molloy stated that at the June 3rd IWWC meeting, the Commission had directed Ms. O'Hare to send notice that the field should be mowed, the swale should be cleaned out, and some additional seeding and silt fencing should be done. Attorney Molloy made sure that the swale was cleaned out and the field was mowed. The contractor had not yet, on June 9th, put up the additional silt fence up because the area was so muddy. As of today, Attorney Molloy was unable to determine if that additional fencing has been installed.

Ms. O'Hare stated that the silt fence is not up by the stockpiles and the area immediately in front of the silt fence were going to be seeded but that has not been done yet either. The Commission wanted the weeds cut down in the swale that runs parallel to the large berm in the southern portion of the property. Attorney Molloy gave some history on this area from back when Engineer Tom Daly was involved in the project. Ms. O'Hare stated that the area was directed to be cut by the IWWC at the June 3rd meeting. Attorney Molloy feels that the area is acting as a vegetated swale should act. She never directed the contractor to do the work because it was not in her understanding of what was required to be done under the permit.

Mr. Bob Heilman, 26 Leigus Road, had submitted photos to Ms. O'Hare today that were taken on Monday and Google Earth photos taken sometime during the construction period showing the meadow near the stream that should have been cut. She passed the photos to the Commission to review. Bob Heilman stated to the IWWC that the entire path of the water was not cut so the water does not flow properly. Commissioner Jim Heilman stated that the grass needs to be cut around the bend to allow the flow of water to continue. Attorney Molloy stated that it was not made clear previously that what Mr. Bob Heilman wanted was the grass to be mowed around the bend. Commissioner Heilman stated that the intent was to resolve the problem of the water backing up. He feels that if the entire drainageway/stream were mowed, the water would flow properly. After further discussion, Attorney Molloy stated that she would contact the contractor and have him mow the entire drainageway/stream and also cut the vegetation in the swale. Chairman Vitali directed Permittee to mow entire drainageway and to make a four-inch track through there. He directed Ms. O'Hare to research the expiration terms of the bond vis a vis permit expiration. If there are any issues that come up Attorney Molloy will contact Ms. O'Hare.

4. #A07-11.3 / East Center Street / MacKenzie Reservoir – Town of Wallingford – (dredging project)

Ms. O'Hare reported that the dredging has started and the haul road is in. The North Reservoir accessway has processed stone installed.

5. 12 Old Colony Road – Old North Colony Properties, LLC – (Special Permit #404-09 and wetlands concerns)

Ms. O'Hare stated that she had reviewed the plan before PZC several times. The final plan was recently presented to Ms. O'Hare by the Planning Dept. as is customary. The day of the PZC meeting on April 13 a revised plan was submitted and approved. Ms. O'Hare stated that Old North Colony Properties should now make application for a wetland permit or, alternatively, should pull the work area back 15 feet. She had issues with the lack of erosion control measures around the sediment basins. Mr. Kern feels that Ms. O'Hare should have simply approached the owner and asked for erosion controls. Ms. O'Hare pointed out the sediment fence would have to go on the regulated area and thus a permit is required. She pointed out that she has no authority to direct them to install that fence on a non-regulated area, hence the problem here. Once there is a violation she has authority. The Commission generally felt that Ms. O'Hare should have approached the Permittee and recommend installation of sediment fencing.

Attorney Molloy stated that the original plan that Ms. O'Hare reviewed did not show the temporary sediment basins. After input from the Engineering Department and Ms. O'Hare, the sediment basins were added. Attorney Molloy has advised her client that Ms. O'Hare has a concern with a failure of the proposed sediment and erosion controls but at this point she is not prepared to submit a formal application to IWWC.

There is a double row of sediment and erosion control fencing around the stockpiles. There were swales with check dams shown along the edges of the stockpiles. Attorney Molloy recommended to her client that they install the additional fencing. She indicated that they would install the additional fencing as recommended by Ms. O'Hare and they would stay out of the upland review area during the process of building the sediment basins and spillways.

6. 252 Main Street, Yalesville – L & J Partnership, LLC – (violation remediation)

This site has received approval from the State. Ms. O'Hare indicated that the Applicant is not intending to do any work until August. The Cease & Desist is still in effect on this site. The Cease & Desist stated that the area 25 feet back from the stream is not to be used for any purpose and they have not complied with that. The Commission directed Ms. O'Hare to wait until August and see if any progress is made by then. It can be discussed at the August meeting. Mr. Kern feels that Ms. O'Hare should have stopped in while she was out taking pictures and asked them why no progress on clearing out the buffer area of all materials and usage has been made. Ms. O'Hare indicated that she has written them about six letters. Mr. Kern recommended that she stop in and talk to them face to face.

7. DEP Diversion & Dam Safety permit application – Choate Rosemary Hall – (ponds/dams – maintenance)

Ms. O'Hare indicated that the DEP is the approval authority it but the IWWC is welcome to send in comments to DEP. Choate is mucking out two ponds between the art center and science center and administrative building. A couple of years ago, the Commission granted them permission to do these ponds. Chairman Vitali asked Ms. O'Hare to find out where the material is going but it is not necessary to apply for a permit.

Chairman Vitali discussed the Lyman Hall VoAg project. He indicated that back in May, Ms. O'Hare was working on an approval letter but it was never received. Ms. O'Hare stated that things keep on changing so she keeps revising her letter. She indicated that she would send out the latest letter. Chairman Vitali directed Ms. O'Hare to get the issue resolved next week.

REGULATIONS REVISION:

1. Discussion of draft provisions

Ms. O'Hare asked Town Attorney Janis Small to review the DEP model regulations. Attorney Small indicated that she would have it by next week. Ms. O'Hare pointed out that she still has to take them

and rewrite them into the appropriate regulation format. Ms. Deutsch would like to have something prepared for the next meeting so it can be moved forward to a public hearing especially with regard to the proposed 100-foot review area. Ms. O'Hare has not gotten the opportunity to work on the other items that the Commission wanted revised.

There was discussion about the procedure for pulling the bond for the Workstage site if it comes to that. Mr. Kern had asked Ms. O'Hare at the last meeting to discuss the issue with Attorney Small to see what is involved. Chairman Vitali stated that if he had been at the June meeting, he might have delayed that by waiting for this meeting to discuss the issues on the site. Ms. Deutsch would like Ms. O'Hare to look into what is required as far as documentation or special meetings and report back at the next meeting.

Mr. Kohan asked Ms. O'Hare about the proposed Choate Environmental Education Center. Chairman Vitali was present at the Town Council meeting and gave the Commission a brief overview of what was discussed. Ms. O'Hare stated that Choate had briefly discussed the project with her and the Town Planner last month. There was a report submitted that is in the Mayor's Office. Mr. Kohan would like to have a brief presentation to the IWWC regarding the project and the area they plan on using. Ms. O'Hare will contact Choate to see if they would be interested in coming in and discussing the project in front of the Commission. Ms. O'Hare believes they may eventually be getting an application for this project.

ADJOURNMENT:

Ms. Deutsch made a motion to adjourn the meeting. The motion was seconded by Mr. Kohan and passed. The meeting adjourned at 10:18 p.m.

Sonja Vining
Recording Secretary
Town of Wallingford
Inland Wetlands and Watercourses Commission
July 1, 2009