

WALLINGFORD INLAND WETLANDS & WATERCOURSES COMMISSION

WEDNESDAY, OCTOBER 1, 2014

ROBERT EARLY AUDITORIUM, TOWN HALL

45 SOUTH MAIN STREET, WALLINGFORD, CT

MINUTES

The Regular Meeting of the Wallingford Inland Wetlands & Watercourses Commission was held on Wednesday, October 1, 2014, in Council Chambers, Town Hall, 45 South Main Street, Wallingford, CT.

Seated Commissioners were: Chairman Jim Vitali; Vice-Chair Ellen Deutsch; Nick Kern, Secretary; David Parent; Dennis Murphy; Alternates Deborah Phillips; Jim Heilman; Michael Caruso; Erin O'Hare, Environmental and Natural Resources Planner.

Voting Commissioners were: Parent; Murphy; Kern; Deutsch and Vitali.

Chairman Vitali called the Meeting to order at 7:01 p.m. and took the agenda in the following order:

CONSIDERATION OF MINUTES

1. Regular Meeting, Sept. 3, 2014, 7:00 p.m.

Chairman Vitali entertained a comment from a member of the public, Peter Bunting, who sent a letter questioning how he was quoted in the Sept. 1, 2014 Minutes. Ms. O'Hare said she requested the Recording Secretary go over the Minutes. Ms. O'Hare said the comment in question was on page 9, third paragraph which stated: "Peter Bunting of Cheshire said he had send three letters expressing his concern; two to Chairman Vitali and one to Mr. Temkin. Mr. Bunting said he was concerned over the retention basins which he said was a waste of money. Ms. O'Hare noted that Mr. Bunting indicated that he did not want it to be characterized this way. Mr. Bunting said he never used the word "retention" and if he did it was an error, because it was "detention." He said there is a difference-"retention" detains water and "detention" expels water. He said he meant "detention." He said he talked about mosquitoes and a parallel road on Kazsersky, which is serving close to 1500 ft. of storm drain. Mr. Bunting told Mr. Vitali that if he was on record saying "waste of money", he is not going to retract this. The Commission had no comment on the Minutes.

Chairman Vitali entertained a motion to approve at this time.

MS. DEUTSCH: MOTION TO APPROVE THE SEPT. 3, 2014 MEETING MINUTES AS

PRESENTED

MR. MURPHY: **SECOND**

VOTE: **PARENT-YES; KERN-YES; DEUTSCH-YES; MURPHY-YES; VITALI-YES**

2. Special Meeting, Sept. 17, 2014 4:30 p.m.

MS. DEUTSCH: **MOTION TO APPROVE THE SPECIAL MEETING MINUTES OF**
SEPT. 17, 2014 AS PRESENTED

MR. MURPHY: **SECOND**

VOTE: **PARENT-YES; KERN-YES; DEUTSCH-YES; MURPHY-YES; VITALI-YES**

OLD BUSINESS

1. **#A05-9.3/1092, 1094 & 1096/North Colony Road** – Lowe's Improvement Center, Inc., - (release of bond)

Ms. O'Hare said this is not ready to go forward but she is scheduled to inspect this on Friday.

2. **#A14-7.2/195 Chimney Hill Road** – ATA Realty, Inc., - (residential resubdivision development – 16 lots).

Appearing in front of the Commission was Atty. Joan Molloy, Loughlin Fitzgerald; Robert G. Wiedenmann, Jr., Sunwood Development Corp., and Stephen Giudice, L.S., Principal, Harry & Cole & Son, Engineering, Surveying, Planning, all representing the Applicant, ATA Realty.

Atty. Molloy updated the Commission. She said on Tuesday, she received a memo from Cheshire Inland Wetlands Commission and on Wednesday received a comment from Engineering and the City of Meriden. She said a meeting took place Wednesday afternoon with Ms. O'Hare to discuss updated comments and noted that all of the items would not be addressed before the IWWC Meeting and anticipated the Commission would want to continue the hearing. She explained some of the changes presented at the IWWC site walk on Sept. 17.

Chairman Vitali said that the site walk was exceptional. He said some good things were questioned and went over items of concern, i.e, moving the drainage running north on Chimney Hill to south; turning some houses so that the backyards would not be up against the upland review areas; Ms. O'Hare reviewing some retention pond work; sewers being installed; He spoke about infiltrators in the roof drainage and asked if it would be better to run them into daylight.

Atty. Molloy said one of the issues discussed at the last Meeting regarded questions of the Homeowner's Association.

Mr. Wiedenmann, Jr. said some changes were made to the detention basins and to the relocation of house on Lot #6 so the backyard wasn't facing the wetlands.

Mr. Giudice spoke about the drainage on Chimney Hill Road and whether it could be shifted to the north and go towards a different outlet point. He noted this couldn't be done because the grades don't permit this; he said this was one of our original design concerns and took this seriously to make sure there were no impacts and reduction the flows from existing to proposed. He said what was done was to modify the drainage basin area that discharges to the north. He said runoff was able to be reduced in the area which offsets the roadway. He said flows are being reduced from pre-development to post development so the impact to Chimney Hill Road is negative.

Chairman Vitali asked about the area of watershed coming onto Chimney Hill Road and asked about single-point discharge. He said this was all sheetflow and said is not the case now.

Mr. Giudice said he respectfully disagreed, he said the area does not change; what flows in this direction currently, will flow in this direction after-the-fact. He said the roof from this house will be brought into an infiltration unit; there is a series of infiltrators that will infiltrate the storm water into the ground and the roadway and the driveway flows will be collected by a set of catch basins which tie into the drainage system. He said this is the exact same scenario with a reduction of flows. Mr. Giudice said no additional storm drainage was proposed, just reducing the area.

Commissioner Heilman noted there will be less water going to Chimney Hill than previous which is a good thing, because once the water gets to Chimney Hill it would have been in a pipe, and noted there is nothing worse for water quality than a pipe, so diverting it elsewhere is a bonus.

Mr. Giudice said he knew that Chimney Hill was an area of concern so the amount of flow in that direction has been reduced.

Commissioner Kern asked about negative numbers.

Mr. Giudice said the numbers range from a two-year to a 100-year flow. He said the overall drainage areas are relatively small.

Chairman Vitali entertained Public Comments at this time.

Jeff Carter, 200 Chimney Hill Road, spoke about the discharge on Chimney Hill Road. He asked if the new road being installed to service these homes will have some runoff.

Mr. Giudice said a portion of the road will have some runoff.

Mr. Carter asked if that runoff will flow into Chimney Hill Road.

Mr. Giudice said a small portion of that road- 175 ft.- will discharge and there will be a set of catch basins at that location

Mr. Carter said 175 ft. will increase the flow onto Chimney Hill Road which currently doesn't exist.

Mr. Giudice said the analysis point is the low point on Chimney Hill Road which is where the flows from Chimney Hill discharge onto Mr. Carter's property. He said the overall drainage area for that analysis point is being reduced in size and flow, so the flows at this point into Mr. Carter's yard will be reduced.

Mr. Carter said this is not his experience.

Chairman Vitali suggested before and after photos be provided.

Mr. Carter said the area being spoken about is pasture and in the future will become a roadway.

Chairman Vitali said there is still a lot of pasture land and open land, but the driveway in between the barns can be almost as hard as blacktop and there is some flow coming out between the barns right now.

Mr. Carter said the elevations are looked at where the existing household and driveways are, the flow from that point probably goes south whereas, the new proposed driveway is next to an existing basin and the increased flow from that road will likely go north towards his property.

Mr. Giudice said this is correct.

Mr. Wiedenmann, Jr. said Mr. Carter would be correct if we had not reduced the size of the watershed. He said if we had made more impervious surface in that same area, we would have an increase flow there, but the fact that we were able to reduce the size by picking up some of that water on the road and off of the driveway on Lot 13, we were able to minimize the amount of water going into the stream.

Chairman Vitali said it was hard to accept taking out that square footage of grass out of the watershed and include that square footage of blacktop and not think there is an increase. He said it doesn't swap one for one.

Mr. Giudice mentioned a memo received on Wednesday from Assistant Town Engineer Rob Baltramaitis who discussed the issue of attempting to transfer the watersheds from the northern discharge point to the southern discharge point, which Mr. Giudice noted in general engineering practices is not a good idea because water is being taken from one watershed and deposited into another. Mr. Giudice said Mr. Baltramaitis's comment in general stated that the water should be left where it is currently going and not make major changes to this.

Chairman Vitali said he didn't disagree with that philosophy, but noted there are two discharge points, a few hundred feet into the woods getting back together again; it is not as if they are dedicated for a mile or two down the road; this situation is a bit different. He said he didn't believe they travel too far and then start to recharge in the sand there. He said he didn't believe the watershed would mind if a little bit of water went the other way.

Atty. Molloy noted that Mr. Baltramaitis also mentioned a quick look at the as-built storm sewers in the road indicate that it will not work.

Mr. Wiedenmann, Jr. said there is an elevation problem getting the water from our proposed road location to that southern catch basin which is just about the area where the driveway is located.

Mr. Giudice said the high point of this location; this road is much lower than the high point in order to get this water to flow in this direction.

Chairman Vitali said by using the existing storm drain system; if a big enough machine is used, a hole can be dug big enough to get the pitch.

Mr. Giudice said the hole would have to be long and be all the way down to Kazsersky Drive in order for it to work.

Relative to the proposed roof flow infiltrators, Commissioner Kern asked if direct discharge was used, would this increase the volume coming onto the road and would a recalculation of the negative effect on post development have to be done.

Mr. Wiedenmann, Jr. said it is a small number, but there would be some increase if the roof drainage going in to the detention was eliminated.

Mr. Giudice said he would rather leave it in as a safety issue, but removing it would just be a minor change. Regarding the rotation of the house on Lot #6, Mr. Giudice distributed a small handout to the Commission identifying the pre and after site walk to give the Commission an idea on how things were changed regarding the house. He said this change allows the house to have a better backyard outside of the upland review area. He said the house on Lot #16 was moved all the way up against the road on New Cheshire Rd. He said when the septic system was eliminated; the site of the house was able to be moved up to the building line. Mr. Giudice said the sewers was the biggest change made to the plan and noted they worked with the Sewer Division and are confident that the sewers will work well and is a great improvement over the previously submitted plan to the Commission.

Mr. Giudice also spoke about the modifications made to the detention basins, and distributed this plan to the Commission. He said we had concerns about eliminating this and discussed it with Mr. Baltramaitis and with the Town of Cheshire and the consensus was reached that a detention basin was needed at this location because a zero increase in peak runoff is desired and water quality has to be dealt with and ensure there is no negative impact to the wetlands or watercourse in that area. Mr. Giudice said with the original detention basin location, there was a concern about tree clearing in proximity to the detention basin to Mr. Bunting's property line. He said the basin was modified, and moved away from the property line and also to try to eliminate some of the tree impacts we had and get it further outside of the upland review area. He said this basin and the other basin was modified into micropool extended basins where we have two little pool areas and a swale that discharges between them which allows water quality

control and treating the water before it discharges into the wetland. He said the basin is shallower and is a major improvement over the original design. In response to Chairman Vitali's question, Mr. Giudice said there is a provision for easy maintenance with equipment. He said there are three-to-one slopes which are easy to navigate with equipment. He noted there is access to the property and a flat berm all around the top so equipment could travel around the basin without any issues. He said the basin is four and a half feet and is dry in the center but noted there will be a little wetness in the pool areas for storm water quality. In answer to Commissioner Kern's question about mosquitoes, he said he didn't believe this would be a mosquito haven and noted this design is a requirement of the DEEP to meet their stormwater quality requirements.

Ms. O'Hare said she is looking forward to Mr. Baltramaitis review of this design because he hasn't review this. She handed out to the Commission the memorandum that Mr. Giudice referred to which came in at 4 p.m. today and was handed into the Commission earlier at this Meeting. She said the memorandum was a cursory review and said Mr. Baltramaitis plans on going over all the drainage calculations and the design more thoroughly. She said Mr. Bunting had spoken to her about possibly about screening for the basin from the vantage point of his property with plants. She said she wasn't sure how much screening was needed.

Mr. Giudice said this area is proposed to remain wooded but said the Applicant would be willing to provide some screening along this edge of the detention basin, preferably evergreens because they provide a year-round buffer.

Ms. O'Hare noted that Commissioner Heilman had requested the Applicant look at something like a wet meadow . She asked the Applicant's representatives to describe the function of the micropools they are proposing to install.

Mr. Giudice said that over the past year, he has had to deal with changes in the DEEP regulations. He said in the past he has had to file permits for storm water discharge and now the permits are getting more difficult resulting in the redesigning of the detention basins in the way we deal with stormwater quality, and how we are dealing with the first inch of runoff off of the pavement and the houses. He said these micro pools are designed to taken that first flush and hold the water and let the sediments drop out of it before it discharges to the wetlands area. He said a wet meadow is something they would like to do and is great for storm water quality, but difficult for reduction in runoff and handling those peak rates of flow. He said in a meadow we would have difficulty doing this. He said he could propose plantings around the basin and possibly on the slopes of the basin to enhance the area. He said it wouldn't be a wet meadow but would provide some mitigation and some positive impacts to wildlife.

Commissioner Heilman said when he originally considered this concept of the wet meadow, he was unaware of the topography of the area. He said this area in his opinion, is a little too high to do what he had perceived originally which makes it impossible.

Chairman Vitali said this is a catch-22 situation in trying to get the best solution.

Karen Bunting, 615 Broadswamp Road, Cheshire, said the basin has been moved a bit further from her property and noted as a golfer on her golfcourse there are ponds and as the leaves come in the ponds and as the water dissipates it smells like low tide. She asked how much low tide smell would she get with these retention ponds.

Mr. Giudice said in his experience there will be no low tide smell with these ponds.

Ms. Bunting asked about the homeowners association and if there is a problem, where would she go to address this without hiring a lawyer.

Mr. Giudice said he has a similar basin in his backyard and has no smell issues. He said the Town he lives in maintains the retention pond.

Commissioner Heilman said it would be interesting to find out as far as maintenance is concerned, how this has evolved over the past four or five years with the significant cutback in the use of sand in the winter time. He said the problem with these basins in the past was them filling up and having to have someone dig them out. He said he wondered if the maintenance doesn't become more of a concern with mowing, vegetative clearing vs. going in there and digging them out. He asked Ms. O'Hare to check with the Public Works to see what is going on with the basins.

Mr. Giudice discussed the infiltration units to be added to the houses. He said this is a low impact design technique with the roof runoff is typically a clean water that is used for recharging the groundwater. He said without the septic systems, this gave us some flexibility to take this water and directly discharge it into the groundwater. He said our calculations would stand without them, but believed it was a good effort to provide some type of low-impact design into this project.

Commissioner Kern said the only problem is attending to them several years down the road. He said once the infiltrator gets shut off with leaves, it is a done deal. He said he agrees on the recharge, but in the long-haul, are band-aiding a situation.

Mr. Giudice said there are other solutions to come up with such as a mechanism with an open grate. He said there would be footing drains on most of the houses and would not incorporate into the infiltration system.

Chairman Vitali indicated it would not be totally unrealistic to tie these drains together further down the line after the infiltrators. He said it would benefit the wetlands not taking water from a watershed area.

In answer to Commissioner Kerns question, Mr. Giudice said Lot #14 would be the only infiltrator unit discharging to Chimney Hill Road.

Atty. Molloy discussed the homeowner's association issue. She said the intent was that when each lot was sold, each homeowner would contribute a sum of money which would go into an account to fund future repairs/maintenance issues. She said in regards to the question by the

Commission of whether these funds could be held by the Town, Atty. Molloy noted she contact Corporation Counsel for the Town, Janis Small, who informed her that the Town would not be interested in holding these monies. She said because of this, to insure the maintenance of the basins, a homeowner's association would be created and that association would exist before the first house was sold, and the deed would contain the requirement that every homeowner would be required to be a member of the association. She said if a pool of money is created that is available, you will get members who want to be in charge of these monies. She said an annual assessment could be done to ensure this maintenance is continually funded. She noted the homeowners could decide if they want to do this themselves or hire someone to do it. Atty. Molloy, using the Willows as an example, said they did a declaration which was recorded on the land records and noted in all of the deeds, that this is what the responsibility of the homeowner's association will be. She said attached to this would be the maintenance plan and said this was discussed with Ms. O'Hare but can't finalize this until a decision is made. She said she could give the Commission an preliminary maintenance plan but is still conceptual and would not be unreasonable for the Commission to require this as a condition of approval.

Commissioner Kern noted that the Commission wants this to work for the sake of the environment and doesn't want it to look as if we are being hard on the homeowners. He said there is a way to work this where everyone profits from this. He cited a town that has a homeowners association and throws a block party every four or five years from the excess funds-which are capped at \$10,000.

Chairman Vitali said a table of this application was in order for this Meeting and asked for an extension.

Atty. Molloy presented a letter consenting to Ms. O'Hare for a continuation of this matter until the November Meeting.

Chairman Vitali entertained a motion for significant activity at this time.

**MS. DEUTSCH: MOTION THAT APPLICATION #A14-7.2/195 CHIMNEY HILL RD
ATA REALTY, INC. – (RESIDENTIAL RESUBDIVISION DEVELOP
MENT – 16 LOTS) BE DEEMED NOT A SIGNIFICANT ACTIVITY**

MR. MURPHY: SECOND

Chairman Vitali noted that this may have been different if sewers had not been brought onto the property.

VOTE: PARENT-YES; KERN-YES; DEUTSCH-YES; MURPHY-YES; VITALI-YES

3. **#A14-8.1/22 Masonic Avenue** – Masonic Health Care – (driveway, parking and drainage improvements associated with conversion of residence to office)

Appearing in front of the Commission was Rosalind Page, PLS, Winterbourne Land Services and John Sweeney, administrator, Masonicare.

Ms. Page said the application is for an expansion of an existing driveway. Ms. Page went over the site plan and noted that this is part of a property which was granted a permit back in 2008 by the IWWC for the construction of a parking area and storage garages. She said as part of this development, there was a detention basin that was designed as part of the permitting process and installed. Ms. Page said the Applicant is seeking approval to do some work in the area of the detention basin; the existing residential building will now be converted into offices for use by the transportation dept. of Masonicare and as such, are required to provide parking for the office space, so six new parking spaces are proposed.

Ms. Page said what is proposed is to take the existing gravel area and expand it into a paved area to accommodate these six parking spaces. She said currently there is a gravel driveway and in the vicinity of the detention basin and the storage garage, it is only 11 ft. wide. She said the Applicant is required by Planning & Zoning to construct a two-way access way to this parking lot to make it 22 ft. wide. She noted that as part of the design for the six-lot parking space, the Applicant is showing a 22 ft. wide driveway where there is currently an 11 ft. wide driveway and in order to accommodate this extra pavement, reconstruction of the extreme edge of the slope of the detention basin would have to be done. Ms. Page said there is an existing catch basin off of the gravel parking lot on the edge of the detention basin which would have to be relocated to the side of the road so filling and regrading would also have to be done. She said George Cotter, the engineer who did the design submitted drainage calculations which she indicated was reviewed by the Engineering Dept. that demonstrate that the drainage from this proposed paved parking lot will not negatively impact the existing detention basin because there is sufficient capacity in the basin to accommodate any additional drainage from this parking lot.

Chairman Vitali questioned how the existing house which will be turned into an office will be accessed by motor vehicles.

Ms. Page said this will just be for office space and there will be a sidewalk and no motor vehicles will be accessing this area. She said there will be no parking at the house, it will be located in an adjacent area. She said the 30-ft. tree will not be disturbed.

Ms. O'Hare commented on Mr. Cotter's report which went out in the Commissioner's packet for the September Meeting, stating that the basin was adequate but there will be more discharge but the basin will handle it. She said she had no other issues and noted her Environmental Planner's Report dated Sept. 25, 2014 which went out in the Commissioner's packets last week. She recommended approval with the standard condition of approval that erosion control measures are in place, and that she inspects them before they proceed. Ms. O'Hare said her

report goes into some detail about the surface and what regulated activities are proposed: the work within 50-ft. of the basin. She noted the DEEP requests these basins be treated as water bodies. Ms. O'Hare also spoke about the surface area noting the Applicant is already over the 20,000 sq. ft. She said this regulation is supposed to be cumulative and they keep adding to the Masonicare campus, so there is the impact of that regulated activity for surface area.

Ms. Page spoke about the detention basin maintenance which she noted was brought up in the Environmental Planner's Report of August 13, 2014. Ms. Page said since this was brought to Masonicare's attention, they have gone out and cleaned up the existing detention basin.

Commissioner Kern asked if Masonicare had a maintenance program for the detention basin.

Mr. Sweeney said the maintenance was done by an outside contractor. He said every three years the basins are maintained. He said now it is more mowing and trimming more than anything else instead of just cleaning out the basins.

Chairman Vitali entertained a motion to determine significant activity at this time.

MS. DEUTSCH: **MOTION THAT APPLICATION #A14-8.1/22 MASONIC AVENUE-
MASONICARE HEALTH CENTER – (DRIVEWAY, PARKING AND
DRAINAGE IMPROVEMENTS ASSOCIATED WITH THE CONVER-
SION OF RESIDENCE TO OFFICE) BE DEEMED NOT A
SIGNIFICANT ACTIVITY**

MR.MURPHY: **SECOND**

VOTE: **PARENT-YES; KERN-YES; DEUTSCH-YES; MURPHY-YES;
VITALI –YES**

Chairman Vitali entertained a motion to approve or deny at this time.

MS. DEUTSCH: **MOTION THAT APPLICATION #A14-8.1/22 MASONIC AVENUE-
MASONICARE HEALTH CENTER- (DRIVEWAY, PARKING AND
DRAINAGE IMPROVEMENTS ASSOCIATED WITH THE CONVER-
SION OF RESIDENCE TO OFFICE) BE APPROVED AS SUBMITTED
AND INCLUDE THE CONDITION OF APPROVAL AS NOTED IN
THE ENVIRONMENTAL PLANNER'S REPORT DATED SEPT. 25,
2014 AS FOLLOWS:**

1. THE APPLICATION BE APPROVED AS SUBMITTED WITH THE CONDITION OF APPROVAL THAT EROSION CONTROL MEASURES ARE IN PLACE AND MEET THE APPROVAL OF THE ENVIRONMENTAL PLANNER PRIOR TO ANY FUTURE WORK BEING CONDUCTED ONSITE

MR. MURPHY: SECOND

VOTE: PARENT-YES; MURPHY-YES; KERN-YES; DEUTSCH-YES; VITALI-YES

4. #A14-9.1/1094 North Colony Road-Infiniti Route 5 LLC – (commercial development)

Appearing in front of the Commission as Attorney Amy Souchuns, Hurwitz, Sagarin, Slossberg & Knuff, LLC; Andrew Manning of WS Development and Josh Swerling, Bohler Engineering.

Mr. Manning went over the background of the project. He said this is probably one of the most permitted sites as far as Inland Wetlands is concerned. He said his involvement in the property dates back to the early 90's when Walmart was constructed. Mr. Manning said in 2006, Lowes was constructed and this incorporated other commercial developments behind the property. He said that development went through IWWC and Planning and Zoning, was approved and constructed. He said he is here tonight to look at the northwest corner of the property which was a former Walmart parking area. He said this parking area is proposed to have some redevelopment.

Mr. Manning said the paved area is greater than 20,000 sq. ft. alterations to the pavement's impervious areas which drains to the existing detention basins are being proposed. He said the Applicant is seeking IWWC approval for the proposed project.

Mr. Swerling presented an overview. He said last year, with the Chick-fil-A application, there was discussion about taking as much parking flows as feasible and have it directed towards leak-offs and landscaped areas where it would be recharged whatever was coming off the pavement before collecting it into the catch basins which is identical to what is being proposed here. He said he is able to take the majority of the north and west runoff that is adjacent to these landscaped areas, and allow those to flow into landscaped beds before they go into deep sump hooded catch basins. Mr. Swerling said they have pre-treatment associated with them and he is taking the approximate 8,400 sq. ft. of rooftop and recharging this into a storm tech system. He said the balance of the runoff after going into the landscaped areas, is going through the same treatment train to Lowe's basin as is being done at the Chick-fil-A. He said a drainage report has been submitted.

Mr. Swerling said at Chick-fil-A, the leak-offs were on the perimeter.

Commissioner Heilman said this was done at the TD Bank property and works well.

Ms. O'Hare asked Mr. Swerling to go over at what years storm event would the flows leave the three depressions and get shunted off to the large Lowe's basin.

Mr. Swerling said he believed all storm events have these leak-offs ultimately entering into the catch basins.

Chairman Vitali said that Ms. O'Hare was asking at what storm event will it end up in the major retention area at Lowe's. He asked if all of them would run into the grassy area. He said the grassy area won't hold this and it will run into the Lowe's detention pond.

Mr. Swerling said this statement was correct and a one-inch storm event would not be held.

Commissioner Kern noted that in summertime, this flow would dissipate and would not be seen.

Mr. Swerling said said no is with a "but"-that we didn't formally model each depression as a basin with the recharge. He noted that even though he did not calculate this, he believes there is enough area to handle the one-inch storm flows.

Ms. O'Hare said the reason this meets the DEEP standard is because the flow gets held in a large basin as opposed to getting discharged to a storm sewer pipe in the road. Ms. O'Hare referred to her Environmental Planner's Report dated Sept. 25, 2014 which went out in the Commissioner's packets. She said she recommended the erosion control measures be in place and she is contacted to inspect them prior to commencement of any activities.

Chairman Vitali entertained a motion for significant activity at this time.

MS. DEUTSCH: **MOTION THAT APPLICATION # A14-9.1/ 1094 NORTH COLONY ROAD – INFINITY ROUTE 5 LLC –(COMMERCIAL DEVELOPMENT) BE DEEMED NOT A SIGNIFICANT ACTIVITY**

MR. MURPHY: **SECOND**

VOTE: **PARENT-YES; MURPHY-YES; KERN-YES-DEUTSCH-YES; VITALI-YES**

Chairman Vitali entertained a motion to approve or deny the application at this time.

MS. DEUTSCH: **MOTION THAT APPLICATION #A14-9.1/1094 NORTH COLONY ROAD – INFINITY ROUTE 5 LLC – (COMMERCIAL DEVELOPMENT) BE APPROVED AS SUBMITTED WITH THE**

RECOMMENDATIONS AS NOTED IN THE SEPT. 25, 2014

ENVIRONMENTAL PLANNER'S REPORT AS FOLLOWS:

1. **THE APPLICATION BE APPROVED AS SUBMITTED WITH THE CONDITION OF APPROVAL THAT EROSION CONTROL MEASURES ARE IN PLACE AND MEET THE APPROVAL OF THE ENVIRONMENTAL PLANNER PRIOR TO ANY FURTHER WORK BEING CONDUCTED ONSITE**

MR. MURPHY: **SECOND**

VOTE: **MR. PARENT-YES; MR. MURPHY-YES; MS. DEUTSCH-YES;**

MR. KERN-YES; MR. VITALI-YES

E. NEW BUSINESS

F. RECEIPT OF NEW APPLICATIONS

1. **#A14-92/Rosemary Lane** – Choate Rosemary Hall – (sewer main extension associated with residential development) – administrative approval – received by Chairman Vitali.

Chairman Vitali said administrative approval was granted.

2. **#A14-9.3/5 Research Parkway** – Kraig Moody – (Bristol-Myers Squibb – wooden guardrail installation) – administrative approval – received by Chairman Vitali.

Chairman Vitali said this is a wooden guardrail installed along the pond because last winter a car slid into the pond and the pond needs to be protected. Chairman Vitali said administrative approval was granted.

3. **#A14-9.4 /10 & 20 Alexander Drive** – Robert Tedeschi, URS Corporation – (pedestrian walkway) – received by Chairman Vitali.

Ms. O'Hare said this pedestrian walkway links two properties with an elevated walkway. She noted she did not review the application in detail yet.

Chairman Vitali said this piece of property expanded its parking lot and constructed a small retention area similar to the depression of the grass mowed area, but it dumped into the storm drain system which dumped into Thurston's detention pond and all fits the same system. He said Thurston is working towards getting their retention pond upgraded. He asked Ms. O'Hare to check on this. He noted the retention pond was supposed to be their first project started but that isn't what happened.

Ms. O'Hare said she visited the site two days ago, (Thurston's), and the outlet control structure was installed.

Chairman Vitali entertained a motion to go into executive session at this time.

MS. DEUTSCH: **MOTION TO ENTER EXECUTIVE SESSION AT 8:25 P.M**
PURSUANT TO CONNECTICUT GENERAL STATUTES SECT. 1-
200(6)(A) TO DISCUSS PERFORMANCE OF STAFF

MR. MURPHY: **SECOND**

VOTE: **PARENT-YES; MURPHY-YES; DEUTSCH-YES; KERN-YES; VITALI-**
YES

The IWWC left the auditorium at this time and returned later.

Chairman Vitali entertained a motion to come out of executive session at this time.

MS. DEUTSCH: **MOTION TO COME OUT OF EXECUTIVE SESSION AT 8:58 P.M.**

MR. MURPHY: **SECOND**

VOTE: **PARENT-YES; MURPHY-YES; KERN-YES; DEUTSCH-YES;**
VITALI-YES

H. REPORTS & COMMUNICATIONS

1. Regulation revisions – status

Ms. O'Hare said there has been no movement.

2. CACIWC - membership dues

Ms. O'Hare said the dues are \$55 for the IWWC.

Chairman Vitali entertained a motion to approve the membership dues at this time.

MS. DEUTSCH: **MOTION TO APPROVE THE MEMERSHIP DUES FOR CACIWC**

MR. MURPHY: **SECOND**

VOTE: **UNANIMOUS**

3. CACIWC - 37th Annual Meeting & Environmental Conference, Sunday, Nov. 15, 2014, 9 a.m. to 3: p.m.

4. Letter to Mayor Dickinson from Timothy Sullivan, Director Capital Construction, New Hartford

Springfield High Speed Rail Program, Amtrak – Notification of Registration for the (DEEP) General Permit for Contaminated Soil and/or Sediment Management re: Amtrak facility 500 feet north of the intersection of Old Colony Road and Oak Street, dated 9/4/14, received 9/4/14 – discussed.

I. VIOLATIONS

1. **252 Main Street- Yalesville/Quinnipiac River Raceway - L&J Partnership, LLC – release of order**

Ms. O'Hare said there was a notice of violation and then the Applicant received a permit to come out of the violation with certain improvements which were done. She said this is in regard to the concrete yard in the rear of the building and the plantings. She said the Applicant wants the notice of violation lifted. She said she went out and examined the area. She said a letter of release is needed to lift the notice of violation.

Chairman Vitali entertained a motion to release the violation at this time.

MS. DEUTSCH: MOTION TO RELEASE ORDER OF VIOLATION AT 252 MAIN STREET YALESVILLE/QUINNIPIAC RIVER RACEWAY – L&J PARTNERSHIP, LLC BE LIFTED

MR. MURPHY: SECOND

VOTE: UNANIMOUS

NEXT MEETING – November 5, 2014

ADJOURNMENT

Ms. Deutsch made a motion to adjourn the meeting at 9:04 p.m. The motion was seconded by Mr. Murphy and passed unanimously.

Respectfully submitted,

Cynthia A. Kleist

Recording Secretary