

WALLINGFORD INLAND WETLANDS & WATERCOURSES COMMISSION

WEDNESDAY, FEBRUARY 4, 2015

ROBERT EARLY AUDITORIUM, TOWN HALL

45 SOUTH MAIN STREET, WALLINGFORD, CT

7:00 P.M.

MINUTES

The Regular Meeting of the Wallingford Inland Wetlands & Watercourses Commission was held on Wednesday February 4, 2015, in Council Chambers, Town Hall, 45 South Main Street, Wallingford, CT.

Seated Commissioners were: Chairman Jim Vitali; Commissioners David Parent; Dennis Murphy; Alternates Deborah Phillips; Jim Heilman; Michael Caruso; Erin O'Hare, Environmental and Natural Resources Planner.

Not Present: Vice-Chair Ellen Deutsch and Secretary Nick Kern.

Voting Commissioners were: Vitali, Heilman, Phillips, Murphy and Parent.

Chairman Vitali called the Meeting to order at 7:03 p.m.

CONSIDERATION OF MINUTES

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

**MR. PARENT: MOTION TO APPROVE THE DEC. 3, 2014 IWWC REGULAR MEETING
MINUTES AS PRESENTED**

MR. MURPHY: SECOND

**VOTE: HEILMAN-YES; PARENT-YES; MURPHY-YES; PHILLIPS-YES;
VITALI-YES.**

OLD BUSINESS

1. **#A04-6.6/22 Masonic Avenue – Ashlar Village – (request for bond release)**

Ms. O'Hare said this is not ready for release. She said the property owner has retained an engineering firm to re-design an outfall of their storm basin. In answer to Chairman Vitali's question, Ms. O'Hare said this is the third design and is different from the first two designs.

NEW BUSINESS

1. **#A11-7.1/826 North Farms Road** – Charles Beilman – (request for bond release)

Ms. O'Hare said this is ready for release and the bond is \$5,000.

Chairman Vitali entertained a motion for bond release at this time.

MR. PARENT: MOTION THAT APPLICATION #A11-7.1/826 NORTH FARMS ROAD

CHARLES BEILMAN – (REQUEST FOR BOND RELEASE) BE GRANTED

MR. MURPHY: SECOND

VOTE: HEILMAN-YES; MURPHY – YES; PHILLIPS- YES; PARENT – YES; VITALI- YES.

RECEIPT OF NEW APPLICATIONS

1. **#A14-12.1/ Quinnipiac Street** – Town of Wallingford – Park & Recreation Department – (minor change to **#A14.1.1** re: small dog play area fencing) – administrative approval granted

Chairman Vitali said this was a minor change in their plan of fencing on the new dog play area that is being worked on. He said there was an area that was a depression, a small constant wet area because of its location to the brook and Raceway. He said the Town decided to eliminate this area from the dog park play area so it was fenced out.

Ms. O'Hare said that was approved in November. Originally the Commission had approved a fence with a four-inch wide opening in the fence and eventually it was realized that a very small dog could squeeze through the four-inch wide opening and the original plan had to again be modified. Ms. O'Hare said the small dog area will now have the two-inch wide opening on the fence for the small dog area and the remaining area will have the original four-inch wide fence opening. Ms. O'Hare reminded the Commission the January IWWC meeting was canceled so Chairman Vitali had acted on this the end of December and would have been mentioned at the January meeting.

Chairman Vitali said he believed the fence was not yet in place. He said he probably caused the fencing issue to be changed from a chain link to a big box wire fence because he visualized the river coming up again and the fence would dam up the flow of water, so that is how the bigger fence openings became involved. He said he could see the value of the smaller area for the small dogs to play in.

2. **#A15.2.1/102 Harrison Road** – James & Cynthia Iannini – (tree clearing relative to residential construction) – Received by Chairman Vitali.

Ms. O'Hare explained upon the Chairman's request, that 104 Harrison Road was sub-divided into two parts and the old house at 104 Harrison Road is being kept. She said this (102) is the new lot and the owner was having difficulties fitting the new house on the lot while respecting the setbacks without getting into the 50 ft. upland review area. Ms. O'Hare said the property owner wants to clear the trees in that area next to the house. She said the issue is not seen on the big plan, but is seen on the plan stapled to the application form 8 ½ by 11 of the older original sub-division approval. She said if this is inspected, one will notice a culvert in the road that takes the flows off the low point in Harrison Road.

Ms. O'Hare said the culvert dumps the storm flows into a low area next to Mr. Iannini's lot. She said she went out there and the area, which is approximately 80 ft. by 30 ft. was frozen, it was a ponded area. Ms. O'Hare said because the area is frozen, it doesn't infiltrate and there was a discussion of whether this was a water body in which case the property owner's plan would have to be revised and the wetland boundary. Ms. O'Hare said Soil Scientist David Lord was called to revisit the area and a report was submitted to the Commission.

Ms. O'Hare suggested the Commission should perform a site visit. She said this application will be acted on at the March 4 meeting. Ms. O'Hare said this property abuts the golf course and there is a marsh with phragmites. She said the area in question is wooded and receives the flows off of Harrison Road. She said this application amounts to more encroachment into the upland review area. She said the property owner has no plans of cutting trees inside a wetland or a pond, it just means the property owner will get closer, depending upon ultimately where the line will be drawn.

Chairman Vitali asked where the encroachment into the upland review area on the plan and why was the tree removal necessary for this house was located in the upland review area.

Ms. O'Hare said if one stands in the property owner's driveway, it is to the left of the proposed house. She said on the older plan one can see where the canopy of the tree line is today and how many feet of trees will be removed (the 8 ½ by 11 map).

Chairman Vitali asked why the property owner is going into the upland review area.

Ms. O'Hare said the property owner doesn't want trees within 50 ft. of his roof; he isn't filling in his back yard and not grading his back yard. She said the new tree line on the new submitted print will be the finished tree line in answer to Chairman Vitali's question.

Chairman Vitali asked how the stumps and trash would be removed from the area.

Ms. O'Hare said this will be discussed with the property owner over the next month.

REPORTS & COMMUNICATIONS

1. Letter to Inland Wetlands & Watercourses Commission, from Daniel P. Burns, Transmission Arborist, CT Light & Power Company, regarding scheduled maintenance activities (involving herbicide application, removal of targeted vegetation species, selective tree cutting, with prior DEEP approval for herbicide use in wetlands where there is no standing water, with attached specifications and mapping; dated 12/1/14; received 12/12/14.
2. *Copy to IWWC* – Letter to Tim Sullivan, National Railroad Passenger Corporation, from Danielle Missell, Environmental Analyst 2, DEEP, re: approval of Water Quality Certificate Permit attached, re: replacement or restoration of approximately 35 miles of second track – railroad infrastructure and service improvements involving watercourse crossings and wetland impacts, dated 12/10/14, received 12/15/14 – (in Wallingford, pertains to Meetinghouse Brook, Quinnipiac River, Padens Brook, and Wharton Brook – the latter involves a box turtle crossing).
3. *Copy to IWWC* – Letter to Mayor William W. Dickinson, Jr., from Lucia Chiocchio, Cuddy & Feder, LLP, re: Homeland Towers, LLC – Proposed Wireless Telecommunications Tower Facility – Circle K Farms, Inc., 1022 Clintonville Road, Wallingford, Connecticut, dated December 30, 2014, with copy of “*Technical Report to the Town of Wallingford – proposed Wireless Telecommunications Facility*”, (undated); received 12/ 31/14.
4. Memorandum to Municipal Inland Wetland Agencies from DEEP, re: Aquatic Pesticide Permit Applications relative to option for applicants to notice IWWC via email, dated 1/13/15.
5. DEEP Permit Application For Use of Pesticides in State Waters – 191 Maltby Lane, Levine Pond.
6. Regulations revisions

Ms. O'Hare reported the Regulations Revisions have not been completed as of yet.

VIOLATIONS

Ms. O'Hare said she is working on two violations.

ADJOURNMENT

Mr. Parent made a motion to adjourn the Meeting at 7:28 p.m. Mr. Murphy seconded the motion which passed unanimously.

Respectfully submitted,

Cynthia A. Kleist

Recording Secretary