

WALLINGFORD INLAND WETLANDS & WATERCOURSES COMMISSION

WEDNESDAY, JUNE 1, 2016

ROBERT PARISI COUNCIL CHAMBERS

45 SOUTH MAIN STREET, WALLINGFORD, CT

MINUTES

The Regular Meeting of the Wallingford Inland Wetlands & Watercourses Commission was held on Wednesday, June 1, 2016, in Council Chambers, Town Hall, 45 South Main Street, Wallingford, CT.

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

Not present: Vice-Chair David Parent; Alternate Daryll Porto.

Voting members were Caruso, Phillips, Kern, Murphy and Vitali.

Chairman Vitali called the Meeting to order at 7:07 p.m.

CONSIDERATION OF MINUTES

1. Regular Meeting, May 4, 2016, 7:00 p.m.

MS. PHILLIPS: MOTION TO APPROVE THE MAY 4, 2016 MEETING MINUTES
AS SUBMITTED

MR. MURPHY: SECOND

VOTE: KERN-YES; MURPHY-YES; PHILLIPS-YES; CARUSO-YES
VITALI-YES

OLD BUSINESS

1. **#a16-4.3/103 North Turnpike Road** – Joseph Richello – (apartment complex & facilities building) – revised plan

Appearing in front of the Commission was Christopher Juliano, Licensed Land Surveyor, P.E., Juliano Associates, and Joseph Richello, Applicant. Mr. Juliano addressed the IWWC's comments regarding the design plan from last month. He said because of this, a number of revisions were made including increasing the number of sheets in the drawing set, including a property survey, and adding a map depicting abutters within 500 ft. He said the most significant change was the moving of the proposed storage and facilities building from the northeast corner of the building to the south part of the building, allowing it to be removed from the upland review area. He pointed out the maintenance building is needed for storage because there will be no basement in the apartment complex.

Mr. Juliano said in order to get the parking outside of the 50 ft. upland review area, the concept of pervious pavement was removed in lieu of swales mimicking what the previous plan proposed and the IWWC had approved in 2010. Mr. Juliano said the large flood control area has been redesigned. He said the proposed storage units have been increased to 5 ft. by 10 ft., which is twice the size under the original plan. He said various landscaping elements have been added to the plan including buffering white pines, and different type of seed mixtures. Mr. Juliano said there will also be a 920 sq. ft. wetlands restoration which can be accomplished by the relocation of the building. He said 45 wetland native shrubs will now be planted in this area.

Mr. Juliano went over the site development plan. He said the utilities will be run in the front of the building to the utility room which keeps them away from the flood storage area and the upland review area and the wetlands. He noted the only disturbance to the wetlands will be 1,900 sq. ft. for the sanitary lines going out to the trunk sewer which he said this is the same 1,900 sq. ft. which was approved under the previous plan. Mr. Juliano said the site will be ringed with a silt fence and there is already a paved apron and construction entrance. Mr. Juliano went over the preliminary floor plan and addressed the three-bedroom units not being age restricted. He said the three-bedroom units were eliminated and changed to two-bedrooms, and noted this floor plan was nearly identical to the Ashlar Village congregate building.

Mr. Juliano commented on the traffic study, noting the letter from Bubaris Traffic Associates. He said Mr. Barbaris noted that traffic under an age restricted apartment use would be approximately $\frac{1}{4}$ of what would occur with commercial usage. Chairman Vitali asked about the traffic study and noted that with a strip mall, the traffic would be continuous and would this project generate peak flow when the senior citizens are coming home from work or leaving at the same time. Mr. Juliano noted that in the report there are peak flows for different times so a direct hour-to-hour comparison can be made. He said there will be a continuous higher peak throughout the day. He said peak time for retail would be around the noon time hour, but peak flows for elderly would occur in the morning and then again in the evening.

Commissioner Heilman question the flood storage compensatory element.

Chairman Vitali asked about a bus shelter. Mr. Juliano said this wasn't in the current plans but could be considered in the future. Ms. O'Hare spoke about the importance of stream buffers and noted she wanted more distance between the improvements and the edge of the stream. Commissioner Kern suggested this application be tabled to the July 20th meeting so Ms. O'Hare could review the plans thoroughly.

TABLED TO THE JULY 20, 2016 IWWC MEETING

2. **#A16-4.4/195 Chimney Hill Road – Sunwood Development Corp. – (modification to permit #A14-7.2 – Lot #16, 250 Cheshire Road)**

Appearing in front of the Commission was Robert Wiedenmann Jr., owner, Sunwood Development Corp., who said there was a minor revision to an approved wetland permit received when the 16 lots were initially approved a year ago. He said there is a specific buyer interested in the house on Lot #16. He said the approval last year showed a small portion of approximately 950 sq. ft. of upland review disturbance for lawn area. He said the proposed plan has the house encroaching into the upland review area by approximately 8 ft. because of the construction of a first-floor bedroom which will extend into the side yard slightly into the rear of the house. He said the total amount of disturbance is the same except for a house in the upland review area, not just for a lawn.

Commissioner Kern asked about a possible elevation change to the lots. Mr. Wiedenmann said fill was brought in when Lots #13 and #14 were cut down on the new road off Chimney Hill Road and approximately 2,100 yards of fill was relocated to Lots #15 and Lot #16. He said the elevation on Lot #15 went from zero inches to approximately 2 ft. on the front third of the lot and on Lot #16, the elevation was raised from about 2 ft. along the street to 4 ft. in the back in preparation for house construction. Commissioner Kern noted that from the original print, he believed the houses were going to sit down in the pocket. Mr. Wiedenmann said the lots were elevated so the houses would sit level with the street. He said all the storm drainage on the lots will still flow to the back of the lots. Commissioner Kern expressed concern about fill flowing down into the wetlands. Mr. Wiedenmann said the area will be stabilized with a lawn and noted the slopes are gentle, 2:1 and 3:1., and noted the house footprint was slightly larger than originally planned. Chairman Vitali said the gentle slope in the back looked steeper to him when he observed the area. Mr. Wiedenmann said the houses are located approximately halfway on the edge of the fill and the front yard is at grade and the fill will be between the two areas. He said there will not be a walk-out basement.

Ms. O'Hare noted that she hadn't received any information all month and he was contacted twice by her office. She said Mr. Wiedenmann came into her office today (Wednesday) and told her he would bring a design to tonight's meeting. Mr. Wiedenmann said he had a map noting the placement of the fill but said he had a redline drawing now of the where the fill was located. Ms. O'Hare said she wrote the Town Engineer and the Town Planner about these two

lots and said between the three departments,(copy went out in the last packet to the IWWC), no one felt comfortable because this was not the original approved plan. She said four feet of fill was a large amount of fill and said the neighbors had contacted her and complained. She said she doesn't understand how the water will drain because the house is now 20 ft. closer to the wetlands. She recommended five wetland placards instead of three be installed. She said if this is approved there must be erosion controls around the swale. Mr. Kern said this issue was discussed over the past 10 minutes and said he went out to the site because Ms. O'Hare told him Mr. Wiedenmann had filled in the site with fill and it was higher than proposed so Ms. O'Hare was aware of this situation.

Chairman Vitali said these issues should have been resolved in Ms. O'Hare's office over the past 30 days and blamed the developer. Mr. Wiedenmann said there is erosion control currently in place, but emphasized the fill has not encroached into the upland review area and is shown clearly on the plan. Chairman Vitali said issues have to be resolved before the meetings. Commissioner Kern suggested the Town Engineer or Town Planner go to the site with Ms. O'Hare and explain what would happen. Commissioner Kern said he believes the higher lot elevations will cause more water to flow into the wetlands. Mr. Wiedenmann said there is nothing in the sub-division regulations requiring to show the final grade. He said there is no real review at any level with the Town of where fill can and cannot be placed. Chairman Vitali took exception to this statement noting zoning has regulations regarding 100 yards of fill and told Mr. Wiedenmann he had ten times the amount of fill.

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

MS. PHILLIPS: MOTION TO APPROVE APPLICATION #A16.4.4/195 CHIMNEY HILL ROAD – SUNWOOD DEVELOPMENT CORP. – (MODIFICATION TO PERMIT #A14-7.2 – LOT #16, 250 NEW CHESHIRE ROAD), AS SUBMITTED

MR. MURPHY: SECOND

VOTE: KERN-YES; MURPHY-YES; PHILLIPS-YES; CARUSO-YES; VITALI-YES

3. **#A16-4.5/29 Toelles Road/Wharton Brook** – Greg Cherok, Project Engineer, Fed Ex Ground – (parking area expansion over portion of existing stormwater basin, installation of retaining wall, widening of drive aisle, relocation of fencing, drainage improvements) – *revised plan*

Appearing in front of the Commission was Ray Gradwell, P.E., Project Manager, and Kim Lesay, Wetlands Scientist, both of BL Companies, Hartford, CT., and Ed Pawlak, soil scientist, owner of Connecticut Ecosystems. Mr. Gradwell said they were here on behalf of Fed-Ex Ground regarding the expansion of their parking area. He said he went over the plan with the Town Planner, Town Engineer and Ms. O'Hare. He went over the site plan noting that Wharton Brook is on the south side of the site along with the property line which divides the Town of Wallingford and North Haven. He said the Fed-Ex hub is located on the middle of the site. He showed the locations of the vehicle maintenance building, the trailer parking storage area and passenger vehicle and employee parking lot. Mr. Gradwell said there are existing stormwater features on-site which will be re-used. He pointed out the wetland areas, noting Wetland #1 is located on the rear of the site, adjacent to Wharton Brook and is approximately 130,000 sq. ft. of wetlands; Wetland #2 is approximately 1,900 sq. ft. and wetland 3 is located on the north side of the site adjacent to the driveway and is approximately 1,400 sq. ft. Mr. Gradwell noted that a stormwater management pond, created when the development was first approved, has taken on the characteristics of a wetland.

Mr. Gradwell said there was also a drainage swale and intermittent watercourses on the east side of the site and a drainage channel which runs west and drains the pond to the wetlands. Chairman Vitali asked if some of these wetlands were man made when the sand was removed. Mr. Gradwell noted that the northwest area of the site may be a manmade wetland, noting that when the site was excavated to create the detention pond, it since has turned into a wetland, and pointed out in 2004, that wetland did not exist.

Mr. Pawlak said he delineated the wetlands on April 8, 2016. He said there is a large riparian wetland associated with Wharton Brook on the site and a smaller wetland pocket located to the north. He said he flagged the existing detention basin as a regulated wetland and flagged a small intermittent watercourse which drains into the Wharton Brook wetland. Mr. Pawlak said he was notified delineation was done in 2004 and a comparison showed they were not identical. He said he didn't find a connection between the large riparian wetland and the smaller wetland pocket even after doing a large amount of soil borings in the area. He said the east of this area, the delineations are nearly identical. Mr. Gradwell went over the proposed improvements. He said the major improvement is the parking lot expansion for trailer storage and noted the area will be flattened out for this purpose. He said a 4,960 sq. ft. wetland fill is proposed and wetlands will be filled. Mr. Gradwell said a physical outfall of the stormwater pond will be constructed. He said a drainage problem will also be corrected which dates back to it the original application. He said the area will be lined with rip-rap and there will also be fencing improvements to the back of the site and the pavement will be expanded approximately 10 ft. and expand the grading on the east side. Mr. Gradwell said the stormwater pond will be re-used and expanded. He said the impact area is approximately 14,000 sq. ft. He said the 4,960 sq. ft. area will be filled and the pond will be expanded by approximately 8000 sq. ft. Mr. Gradwell

said a wetlands seed mix will be planted and a sediment forebay will be installed. He said the catch basin will have a deep sump and an outlet to control the stormwater.

Mr. Gradwell noted the driveway will also be improved by creating a sediment forebay so the sediment doesn't just flow into the pond. He said four or five willow trees along the existing stormwater pond will be relocated. He pointed out the rate of water peak discharges leaving the site is also being reduced by 8% to 15%. Mr. Gradwell said the erosion and sediment control will be phased in two parts, with Phase 1 occurring on the west side of the site to create the stormwater pond and improve the stormwater drainage system, and Phase 2 will be to do the fence work and the pavement widening on the east side of the site to minimize impact. Mr. Gradwell said Phragmites which are invasive species will also be removed.

Chairman Vitali asked about the disturbance in the retention pond area. Commissioner Heilman noted that it is important to realize that the wetlands which was created, the elevation at the bottom of the pond is only three feet above the elevation of the wetland to the south, so the success of establishing this wetland was done by excavation. He said the value of this little wetland pocket is pittance relative to filtration characteristics of the enormous sand volume in the area. He said the overall project is fine and is balancing out concerns of the Commission.

Commissioner Kern asked about an existing maintenance program for the area. Mr. Gradwell said he believed a maintenance program was not in existence for the area but is part of the application documents. Commissioner Kern wondered about pre-treatment and asked if there would be a wash rack on site. Mr. Gradwell said no engine work or oil changes is done on site, just small work, i.e., changing tires, so there is no wash rack. Commissioner Kern asked about removing snow from the trailer. Mr. Gradwell said it is probably done manually because he saw no snow scraper on-site. He said the drivers lease the trucks so the cleaning is probably done off-site. Commissioner Kern asked about other location of the roof drains. Mr. Gradwell said he believed there were three roof drains on-site. Commissioner Kern asked if water from Toelles Road would enter the property. Mr. Gradwell noted that on Toelles Road there is a series of catch basins. Ms. Lesay said there is a large concrete apron for the trucks creating a lip which restricts the water flow.

Chairman Vitali said he didn't realize there was a layer of clay at 7 ft. or 8 ft., but noted there was an impervious layer of clay at 60 ft. and a massive aquifer underneath and there is tremendous water there. Chairman Vitali said the original retention basin was man made and turned into a wetland and noted that losing 4,900 sq. ft. but adding 8,000 sq. ft. is a good thing, but the loss of piping underneath the existing parking lot is a loss in the area. He said when water is piped, it doesn't receive the benefits of the sun and vegetation. Chairman Vitali asked if perforated piping would be used. Mr. Gradwell said it wasn't specified as to what type of piping would be used. He said this outfall will now be revised and the pipe system will be pulled back and opened up. He said there won't be perforated under the paving but can be proposed. Commissioner Heilman said he would rather see solid piping under the paving. He

said he was concerned about going under pavement to dissipate water and noted if the piping was deep enough, it could cause problems.

Ms. O'Hare said the new plan arrived last Thursday. She said she walked the upland site with Mr. Gradwell and went back alone to do the floodplain. She said there are erosion problems she wants addressed. She said this can be done by treating this area as a violation and this area can be cleaned up separately. Ms. O'Hare noted the Applicant is willing to address this in the application. Chairman Vitali asked Ms. O'Hare how the new application is addressing her concerns. She said she pointed out there was an intermittent watercourse on-site which didn't appear on the site plan. She said the plan which arrived last Thursday, showed a short intermittent watercourse and she believes it is much longer which wasn't talked about.

Ms. O'Hare said this can be approved tonight, but with many conditions of approval. She said 4,960 sq. ft. of wetlands is being filled and is a big deal and said the IWWC should decide whether this is a Significant Impact and whether there should be a public hearing. She noted these are man-made wetlands and pointed out it is significant in size and the filling is something the IWWC is not used to seeing. Ms. O'Hare she is concerned about the impact to the wetlands in the floodplains.

Chairman Vitali noted the project has been there 10 or 12 years and hasn't degraded the wetlands it runs into. Ms. O'Hare said this area hasn't been maintained noting three pipes and three outlets on the site need attention. She said the one area the Applicant wants to fix should be done more gingerly noting this area has a 40% to 50% slope to a wetlands area and she doesn't believe the application isn't ready to go forward.

Commissioner Kern asked what would be gained by not acting on the application, pointing out the Applicant has agreed to correct all the little things wrong with the site. He said he believed the majority of the Commission felt comfortable with this application. Ms. O'Hare suggested possibly approving Phase 1 now and Phase 2 of the project later on, with Phase 1 being the basin and parking addition which she was comfortable with. Commissioner Kern said these issues should have been resolved last month.

Ms. O'Hare said some aspects of the plan have been changed, noting the addition of the Faircloth Skimmer. Mr. Gradwell said this was included in the revised plan provided to Ms. O'Hare as part of her comments but wasn't addressed at the meeting. Mr. Gradwell noted he would like to begin the construction in the fall but had no problem with the IWWC tabling the application until the July 20 IWWC meeting and to work with Ms. O'Hare to flush out any outstanding issue.

**MR. KERN: MOTION THAT APPLICATION #A16-4.5/TOELLES ROAD/WHARTON
BROOK - GREG CHERNOK, PROJECT ENGINEER, FED-EX GROUND –**

(PARKING AREA EXPANSION OVER PORTION OF EXISTING STORM WATER BASIN, INSTALLATION OF RETAINING WALL, WIDENING OF DRIVE AISLE, RELOCATION OF FENCING, DRAINAGE IMPROVEMENTS) – REVISED PLAN, BE DEEMED NOT A SIGNIFICANT ACTIVITY

MS. PHILLIPS: SECOND

Chairman Vitali appointed Commissioner Heilman as a voting member on this application.

VOTE: HEILMAN –YES; KERN-YES; PHILIPS-YES;MURPHY-YES;VITALI-YES

APPLICATION NOT A SIGNIFICANT ACTIVITY. APPLICATION TABLED TO THE JULY 20, 2016 IWWC MEETING.

Chairman Vitali requested an extension from the Applicant as the July Meeting would be beyond the allowed timeframe.

Mr. Gradwell agreed to forward an extension letter on behalf of the Applicant.

The Applicant granted the extension.

Chairman Vitali took the rest of the agenda in the following order:

VIOLATIONS

1. **266 Pond Hill Road** – Notice of Violation – Christopher Cerrito – (removal of vegetation, clearing, grading, deposition of fill in wetlands and upland review area and disturbance of streambank)

Appearing in front of the Commission was Christopher Cerrito, 180 Pond Hill Road. He distributed a letter from the Soil Scientist as requested by the IWWC. He noted he just received the letter earlier in the day and didn't have a chance to give the letter to Ms. O'Hare.

Chairman Vitali pointed out that Mr. Cerritos soil scientist noted there was no indication of inland wetlands soil conditions or watercourses were found in any of the test hole locations. Mr. Cerrito said the test holes were where the skunk cabbage was growing and in the drainage swale. He said several test holes were dug and nothing was found to indicate wetlands. He said he spoke with David Lord, the soil scientist who noted there was a drainage pipe which discharges onto the property from the east which caused the dry creek bed which runs through the middle of the property.

Chairman Vitali said the IWWC can't act until Ms. O'Hare looks over the information. Commissioner Heilman said there are no wetlands outside the erosional channel and this is important because it sets the boundary. Chairman Vitali requested Ms. O'Hare go through the soil scientist report and be in contact with Mr. Cerrito. Ms. O'Hare noted she visited the site today (Wednesday) and took photographs which she distributed to the Commission. She said more erosion control measures were needed because the area is on a slope and the bare soil is entering the stream.

Mr. Cerrito said he has seeded this area and grass is growing. Ms. O'Hare said Mr. Cerrito installed the silt fencing, but it directs the water right into the stream. She suggested wrapping the silt fencing around the tree. Mr. Cerrito said he will change the fence and put in haybales if this will solve the problem.

Ms. O'Hare said she has never seen skunk cabbage growing so vigorously in a non-moist area. Chairman Vitali said the only issue in the violation was that there was clear-cutting in the 50 ft. upland review area. Chairman Vitali said Mr. Cerrito is not ready for an application unless he goes across the brook. He suggested Ms. O'Hare read the soil scientist report and stay in contact with Mr. Cerrito.

Ms. O'Hare said she wanted to ensure other Applicants don't clear up to a stream without an application.

NO ACTION TAKEN

2. 252 Main Street, Yalesville – Brothers Pool, L&J Partnership, LLC – violations

Appearing in front of the Commission was Lisa Morgillo, L & J Partnership, 252 Main Street, Yalesville. Ms. O'Hare explained this issue is on the agenda once under "Violations" and under "Receipt of New Applications" which she said she received Tuesday which was distributed to the Commission. She said this violation was briefly discussed at the last meeting and noted there was a lot of stored material in the vegetative buffer. Ms. O'Hare noted the Commission had resolved the last violation by having the area remediated and planted with shrubs. She said she went to the site on Tuesday and noticed the materials were still in place. Ms. O'Hare said she met with Mr. and Mrs. Morgillo. She said once the equipment, materials and containers are removed from the back, the riverbank will be freed up and the shrubs can be replanted. She said the Morgillos stated they would comply. Ms. O'Hare said this issue will be revisited on July 20th to see if the Morgillos complied. Commissioner Kern asked why the Lisa Morgillo was at tonight's meeting. Ms. Morgillo said when she met with staff it was agreed to meet the issues and were told to wait for the letters. She said she received one zoning letter and Ms. O'Hare gave her the wetlands letter this past Friday.

Ms. O'Hare said she didn't believe anyone told Ms. Morgillo to wait for the letters. Ms. Morgillo said her engineer told her to wait for the letters because he is preparing a new site plan. She

said she will be in compliance with the wetlands by replanting the shrubs that died and will be in compliance with zoning by removing the dumpster and will apply for a permit for screening.

TABLED TO THE JULY 20 2016 MEETING

3. Cease & Desist Hearing – 1460 Tuttle Avenue – David & Christine White – (clear cutting, filling)

Appearing in front of the Commission was David White, 1460 Tuttle Avenue. Ms. O'Hare distributed copies of the Cease & Desist Order which went out May 31, 2016, and was delivered to the Whites by the State Marshal's office. She said she just noticed the violation on the Friday before Memorial Day. Ms. O'Hare said a neighbor complained of possible cutting in the wetland area. She noted in 2008, the Commission approved a wetland permit and staff has worked with the Whites in the past regarding improvements to their 13 ½ acres, most of which is swamp. She said the Whites were aware of wetland permitting at that time.

Ms. O'Hare said Mr. White has since purchased horses, built a pen and wanted to cut down trees. She said Mr. White told her he went on a State website and read he could do what he wanted to his land in the wetlands as long as it only involved three acres or less, which Ms. O'Hare said is not the case, and pointed out with the local regulations and even if it is agricultural, one needs to come in for a determination that a permit is not required. She noted even under the agricultural conditions, there still can be no filling in. Ms. O'Hare distributed photos of the area in question. She suggested the Commission require Mr. White to hire an expert to assess how many acres were affected and what portion was wetland, upland review area and what areas were filled in.

Commissioner Kern asked if this area had been disturbed before because the trees in the photos looked young. Ms. O'Hare said she has a map from 2008 and pointed out there was a paddock area Mr. White was renovating and the area was bulldozed to make room for a new paddock. Chairman Vitali said there was an issue and asked Ms. O'Hare for her suggestions. Ms. O'Hare asked the Commission to affirm the Cease & Desist Order and all work on the property ceases. She recommended the hiring of a soil scientist to determine where the wetlands lines are and what wetlands were disturbed and hire a surveyor to determine the location of the 50 ft. upland review area. Commissioner Heilman said he was having a hard time with the idea of someone finding approval to do this from the Internet. Mr. White said it was bad advice and further research should have been done. Ms. O'Hare suggested the Commission recommend a soil scientist.

Chairman Vitali entertained a motion on affirming the Cease & Desist order.

MS. PHILLIPS: MOTION THAT THE CEASE & DESIST LETTER SENT TO DAVID AND CHRISTINE WHITE AT 1460 TUTTLE AVENUE BE AFFIRMED

AND WILL STAY IN EFFECT

MR. MURPHY: SECOND

VOTE: HEILMAN-YES; KERN-YES; MURPHY-YES; PHILLIPS-YES

VITALI-YES

CEASE & DESIST AFFIRMED. THE CEASE & DESIST REMAINS IN EFFECT

Chairman Vitali told Mr. White the Commission's suggestion is to obtain a soil scientist to delineate what was done and how much area was affected. He also told Mr. White to start the reclamation process to remove the fill. Commissioner Heilman noted no reclamation process could begin until it is known what actually needs to be reclaimed. He said a soil scientist is needed to make a report unless Ms. O'Hare finds an immediate need for erosion controls at which point he suggested the Commission grant her the authority to institute emergency erosion controls if needed.

Chairman Vitali disagreed, stating the fill could be pulled back without wetland delineation because it is already identified with a layer underneath it. Commissioner Kern suggested the Commission have Mr. White obtain a soil scientist and then contact Ms. O'Hare who can then work with Mr. White who can guide him through this process and have her draft a letter of what needs to be done. Commissioner Kern said Ms. O'Hare, after visiting the site, was authorized to make a determination of whether erosion control measures would need to be implemented immediately. Commissioner Kern suggested Mr. White return to the Commission for the IWWC September Meeting.

Commissioner Heilman noted that when the overall area is viewed, what is recognized is an attempt to create a horsefarm in an area which would require excavation and filling, noting this type of activity would come before the IWWC for approval. He said what is currently occurring is an attempt to do this ad-hoc and go around filling in areas. Commissioner Heilman said if this is Mr. White's ambition, a permit would be needed. He said this is an accepted activity to farm, but there are controls and conditions in which this is done.

Chairman Vitali directed Mr. White to not use the same contractor who did the filling for fill removal.

TABLED TO THE JULY 20, 2016 IWWC MEETING

RECEIPT OF NEW APPLICATIONS

1. **#A16-5.1/9 Lori Lane** – Kevin & Linda Remillard – (fence & above ground pool) – administrative approval. Chairman Vitali noted this was recently approved administratively.
2. **#A16-5.2/16 Grieb Trail/Spring Lake** – Kathleen O’Neil – (rear yard improvements) – received by Chairman Vitali.
3. **#A16-5.3/119 Putter Lane** – President of Board of Directors, The Towers Condo Association - (repaving parking areas and drives) – administrative approval
4. **#A16-5.4/252 Main Street** – L&J Partnership, LLC – (fencing, gating & dumpster relocation) – received by Chairman Vitali
5. **#A16-5.5/30 Strawberry Hill Road** – Carol Borsari – (culvert replacement) – received by Chairman Vitali.

Chairman Vitali asked who would be paying for the culvert. Ms. O’Hare said the stretch with the culvert replacement is a private road. She said there are three owners who have rights to cross over the culvert and noted the Fire Dept. said the culvert wasn’t safe for emergency response equipment to cross over. Commissioner Heilmann said society cares if emergency vehicles get stuck there and they have a big responsibility. Ms. O’Hare said this is a gravel road. She noted the photograph included in the Commissioners packets. She noted the road will not be widened nor the size of the culvert, but being made stronger.

REPORTS & COMMUNICATIONS

1. DEEP Municipal Inland Wetlands Agency Continuing Education Workshop, *“Legal and Administrative Updates”*, (3 dates), June 2016; received 5/23/16
2. Town of Wallingford Building Department building permit application referral program – staff
3. Masonicare – Letter of Agreement re: channel stabilization on Town open space property, dated 5/12/16; received 5/25/16
4. CACIWC newsletter, *The Habitat*, Spring 2016
5. Freedom of Information Act (FOIA) seminar, sponsored by the Town of Wallingford, June 9, 3:00 p.m., Room 315, Town Hall, received 5/9/16

ADJOURNMENT

Ms. Phillips made a motion to adjourn the Meeting at 9:25 p.m. Mr. Murphy seconded the motion which passed unanimously.

Respectfully submitted,

Cynthia A. Kleist

Recording Secretary