

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

Special Meeting

Saturday, October 20, 2012, 8:30 a.m.

A Special Meeting of the Wallingford Inland Wetlands and Watercourses Commission was held on Saturday, October 20, 2012, in the field for the purpose of conducting a site investigation to observe site conditions relative to a cease & desist order violation at the following property:

- **6 East Dayton Hill Road – Douglas Morgan - (clearing, filling)**

Present: Chairman James Vitali, Vice Chair Ellen Deutsch, Nick Kern, David Parent, Dennis Murphy, Alternate Deborah Phillips, and Erin O’Hare, Environmental Planner

Absent: Alternates Jim Heilman and Jim Dobson

Chairman Vitali called the Special Meeting to order at 8:30 a.m. at the 6 East Dayton Hill Road property. Mr. Douglas Morgan, owner, was present along with James Staunton, engineering consultant.

Chairman Vitali asked Ms. Erin O’Hare, Environmental Planner, to briefly summarize the violation issue and the recommendations presented in the Environmental Planner’s Report, dated October 16, 2012, forwarded to the IWWC earlier this week. Ms. O’Hare summarized the violation issue and indicated that the Report’s recommendations factored in the site investigation conducted with Commissioner Jim Heilman and the owner on October 11, 2012. Because Commissioner Heilman was unavailable for today’s meeting, at the Oct 3 IWWC Meeting the IWWC had directed Ms. O’Hare to revisit the site with Commissioner Heilman, mark out approximate wetland boundaries, and prepare recommendations. Ms. O’Hare reported Commissioner Heilman felt the wetland could not be marked-out due to the significantly altered condition of the site where it appeared wetlands and drainage had been filled and altered over a period of time in addition to the recent fill activity. Possible drainage improvement scenarios had been reviewed at that time. Mr. Morgan had asked Commissioner Heilman if remediation activities could possibly wait until spring 2013 in consideration of financial constraints and Commissioner Heilman had indicated affirmatively as the site is fairly level and there was no concern for transport of sediments, however, the fill would have to be removed very soon around the root zones of the trees as they may suffer and may die.

Ms. O’Hare reported she had provided Mr. Morgan with the contact information for several engineering consultants and subsequently had provided Mr. Stanton background information.

The IWWC viewed the catch basins located in East Dayton Hill Road and then traversed the site noting the fill piles, the fill compacted for a rough roadway, the clearing of vegetation, the tree removal, the ponded drainageway in the front by East Dayton Hill Road, the small drainage ditch at the edge of the rear lawn, and the deep, manmade channel located on the east and south of the property – trickling at the time. The IWWC viewed an orange flagging lying on the floor of a wooded area which Mr. Morgan had placed there to mark the property boundary on the east side. Chairman Vitali asked Ms. O’Hare to contact the easterly neighbor before the IWWC Meeting to discuss drainage patterns and any issues.

Mr. Morgan stated his intention for the alterations and his desire to park his work-related vehicles to the rear of his home.

Chairman Vitali stated as it was unclear where the wetland boundary was, it was unclear where the upland review area was located, and therefore it would be difficult to render a determination of where fill may possibly be allowed to remain. Chairman Vitali asked Mr. Staunton to explain to his client, Mr. Morgan the pros and cons of retaining a professional soils scientist.

Ms. O’Hare was requested to obtain more information on the site from the New Haven County Soils Survey circa 1969, the PZC file on the development of the neighborhood, google.earth, and to look again in the State of CT DEP files (home was built in 1985).

Mr. Morgan pointed out a spot behind the house where he would like to install a pool.

Mr. Stanton stated that by the Town’s current standards, drainage should have been directed to East Dayton Hill Road and drainage pipes should have been called for under the rear lot’s driveway. The Chairman indicated the two abutting properties, 2 East Dayton Hill Road and 4 East Dayton Hill Road will not be involved at this time. Ms. O’Hare will furnish Mr. Staunton with maps from the file.

Chairman Vitali directed Mr. Morgan not to expand the fill area in any way, but to remove fill from the root zones of those mature trees impacted as soon as possible before the November 7th IWWC Meeting, and to deposit that removed earth on top of existing fill piles.

Chairman Vitali adjourned the Special Meeting at 9:00 a.m.

Respectfully submitted,

Erin O’Hare
Acting Recording Secretary