

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

Special Meeting

Wednesday, May 21, 2009

A Special Meeting of the Wallingford Inlands and Watercourses Commission was held on May 21, 2009, in the field for the purpose of conducting a site investigation with possible action on a property that is the subject of violation.

Present: Ellen Deutsch, Vice Chairman, David Parent, Jim Heilman, and Erin O’Hare, Environmental Planner

Acting Chairman Deutsch convened the Special Meeting at 4:00 p.m. on the property which is the subject of the Special Meeting, 8 Ryan Drive. Erin O’Hare acted as Recording Secretary.

1. 8 Ryan Drive – Dan Hall – (violation – alteration of pond and wetlands)

The property owner, Dan Hall, was present along with Jason Prescott, contractor.

Acting Chairman Ellen Deutsch asked Ms. O’Hare to review the nature of the violation matter and point out the areas of disturbance. Ms. O’Hare indicated that the banks of the small pond on-site had been almost entirely denuded of vegetation, several small trees had been removed surrounding the pond, and the outlet of the pond that had been cleared with a mini-dozer. The outlet flows into a small stream which begins close to the lot’s western property line. She had directed the work to cease and noted that she observes today no further work has been conducted with the exception of the requested removal of the cut brush and trees that had been previously deposited in the wooded wetlands located to the south. The latter area and a portion of the pond, Ms. O’Hare noted, is indicated on the original subdivision plan to be located on the abutting property to the south and southeast.

The IWWC observed these features and the subdivision plan. A stand of Phragmites (reed grass) was noted in the pond near the outlet. Ms. O’Hare noted the hay bales that had been placed in the stream just below the outlet to prevent any sedimented flows from traveling offsite.

Ms. O’Hare pointed out the Town drainage easement area that parallels the western side of the lot which was in need of maintenance in terms of road sand and brush that had grown in over the years. The owner wishes to clear same.

Acting Chairman Deutsch asked the owner what his original and proposed intentions were. The owner indicated that he was unaware of the regulations in force. His intent was to clear the pond of vegetation that he felt was contributing to the periodic fish kills he has witnessed over the

years, to open up the view of the pond, and to provide an access path for walks around the pond. He wants to install an aeration device in the pond to help the fish.

Commissioner Heilman explained that a healthy pond ecosystem requires native vegetation for the provision of shade to keep the water temperature down in the summer and for the provision of habitat for shelter, food, etc. and now that has been removed. In the future, he added that the owner may seek a IWWC permit to deepen the pond which would help with both the temperature issue and the algae problem which results in oxygen depletion. The IWWC agreed an aerator would help and could be installed.

The IWWC advised the owner to verify the location of his southeastern property line as soon as possible as the IWWC does not want to approve activities on another person's property. The IWWC requested that for remediation of the violation the owner should restore vegetation along half of the pond banks - the southern half - by installing trees to provide some shade on the southern side of the pond and should install a planting plan – to the satisfaction of the Environmental Planner – to benefit the pond ecosystem.

The IWWC next observed the small stream that runs to the side of the residence and down to the pond. The owner wishes to remove some debris from this stream. The IWWC was not adverse to this proposal. Ms. O'Hare clarified to the owner that stones in the stream bed are not to be removed as they provide erosion control.

The IWWC observed the area in the lawn alongside the stream where the owner wishes to install a small patio. The IWWC indicated that the encroachment permitted for the installation of the patio and associated stone base would not extend beyond an existing mature tree there and that distance in feet (10 feet) should be depicted on the plan. The patio layout and all the other regulated activities proposed discussed today should be delineated on a site plan of the lot and submitted with a IWWC application as soon as possible. The remediation planting plan should be submitted as part of that. The violation matter is on the June 3rd agenda and a representative should be present at the meeting.

Jason Prescott indicated he would research the planting plan and submit a proper application working with Ms. O'Hare. The IWWC indicated that the Phragmites, an invasive plant species, should be removed as it is of minimal ecological value and will soon take over the pond edge. Ms. O'Hare directed the owner to augment the hay bales for that removal process to prevent the release of sediments downstream.

Acting Chairman Deutsch adjourned the meeting at 4:36 p.m.

Respectfully submitted,

Erin O'Hare, Environmental Planner