

**Inland Wetlands & Watercourses Commission  
Regular Meeting  
Wednesday, May 4, 2022, 7:00 p.m.  
Robert F. Parisi Council Chambers  
Second Floor, Town Hall  
45 South Main Street, Wallingford, CT**

**MINUTES**

Chair James Vitali called this Regular Meeting of the Wallingford Inland Wetlands & Watercourses Commission to order at 7:00 p.m. in the Robert F. Parisi Council Chambers, Second Floor of Town Hall, 45 South Main Street, Wallingford, CT. [A recording was produced and posted on YouTube by Wallingford Government Media.]

**PRESENT:** Chair Vitali, Secretary Nick Kern, and Commissioners Jeffrey Necio and Michael Caruso, Alternates Aili McKeen and James Heilman, and Environmental Planner Erin O'Hare.

**ABSENT:** Vice Chair Deborah Phillips and Alternate Mrs. Caroline Raynis.

There were four persons in the audience.

**A. PLEDGE OF ALLEGIANCE**

The Pledge was recited.

**B. NEW MEMBERS & ROLL CALL**

Chair Vitali acknowledged returning Alternate Member James Heilman, who had served on the Commission for many years.

**C. CONSIDERATION OF MINUTES**

**1. Special Meeting, Apr. 13, 2022**

**MS. MCKEEN:** **MOTION TO ACCEPT THE MINUTES OF THE LAST MEETING, APRIL 13, 2022.**

**MR. NECIO:** **SECOND.**

**VOTE:** **MS. MCKEEN – YES; MR. KERN – YES; CHAIR VITALI – YES; MR. NECIO – YES.**

**ABSTAINED:** **MR. CARUSO, MR. HEILMAN.**

**D. OLD BUSINESS**

**1. #A22-3.1 / 41 North Plains Highway – Stephen Barrett – (installation of retaining wall, fill & above-ground pool, re-location of gazebo)- 'received' per statute on 3/2/22**

Appearing was Applicant Mr. Stephen Barrett.

Chair Vitali said, Since last time, you were going to investigate some erosion control methods and to obtain guidance from Southwest Conservation District.

Mr. Barrett said, They told me to put coir logs in and some plants to hold it in place.

Ms. O'Hare said, I handed out my Environmental Planner's Report. Southwest Conservation District

went there on April 21 with the Owner. I gave their report in your packet and to Mr. Barrett on Friday. They did a good job. Attached to my EPR I explained about coir logs to protect and restore the streambank. Those are “socks” of shredded material that can be placed or stacked and staked in. Then plants can grow in, and it becomes a nice bank. The Applicant followed the Commission’s advice, which I put in a letter to him. Because there’s the “Y”, he can go with his original plan and two logs high.

Chair Vitali asked, Are you using concrete blocks?

Mr. Barrett said, Those will be for the retaining wall as backup: 48 blocks, stacked two high, with the first one buried pretty good in the ground. The fill would go close to the top of the blocks.

Chair Vitali said , I’m not sure you have to bury far into the ground. It’s sandy. The blocks are going in, and the logs are going--?

Ms. O’Hare said, The coir logs are going at the base of the bank in the water.

Mr. Barrett said, They told me it would be toward the top of the bank.

Chair Vitali said, I thought coir logs were for erosion coming off a property. Can we approve this?

Ms. O’Hare said, I wanted the Owner to submit a new drawing, but we can discuss it.

Chair Vitali said, The coir logs are on the top of the bank and not down in the brook.

Mr. Barrett said, They’re similar to the silt fence. On the top of the bank.

Ms. O’Hare said, At 4:30 I talked to Chris Sullivan, Executive Director. Melissa wrote the report. But he said the coir logs go to the bottom.

Chair Vitali said, But the diagram shows them going on the top of the bank, two rows. And on the bank with the slope going to the brook, it’s three levels.

Commissioner Heilman said, The density of the coir logs is the same as the water, which could allow for undermining. But if you set the blocks down and built on top?

Ms. O’Hare said, There’s two separate things going on. The Applicant came in wanting a retaining wall, fill, and his pool. I went and saw severe erosion on the stream bank. We called in Southwest Conservation to help with that erosion. Coir logs are for the plantings—permanent, forever, in down by the water. I believe he wants to put his retaining wall blocks starting 10 feet back from the edge of the bank. It’s two independent, related activities.

Chair Vitali asked, Your blocks are going 10 feet from the edge of the water?

Mr. Barrett said, Retaining wall blocks are to go 10 feet back from the edge of the bank. The point of the coir log is to make sure nothing undermines from the block or off of that into the river.

Chair Vitali asked, Your blocks are going 10 feet from where, from the edge of the water? Is that eroded out now?

Mr. Barrett said, No. The blocks are to prevent the flood, if it rises up, from washing out under my

pool.

Chair Vitali asked, So the blocks are not to hold the river in the watercourse.

Mr. Barrett said, Correct. It's to hold the dirt and prevent the pool from washing out

Chair Vitali said, Do you agree?

Ms. O'Hare said, Yes. In my EPR I have conditions of Approval: 1) Stabilization work, such as the Conservation District would like, but I would recommend the Owner just to do the installation below his pool area; and 2) Yard improvement work of the retaining wall, fill, and the pool to be constructed with a dry forecast; and 3) Erosion control installation to be put below the retaining wall. Then Mr. Barrett would call me up, and I'd look at that, and he'd continue. Then 4) A copy of the Army Corps permit would be submitted to me as soon as he gets it—it takes a while as per the Southwest Conservation District.

Chair Vitali asked for comments from the Commissioners. There were none. Chair Vitali asked for a Motion on Significant Activity.

**MS. MCKEEN:** **MOTION THAT APPLICATION #A22-3.1 / 41 NORTH PLAINS HIGHWAY - STEPHEN BARRETT, BE DEEMED NOT A SIGNIFICANT ACTIVITY.**  
**MR. NECIO:** **SECOND.**  
**VOTE:** **MS. MCKEEN – YES; MR. KERN – YES; CHAIR VITALI – YES; MR. NECIO – YES; MR. CARUSO – YES; MR. HEILMAN – YES.**

Chair Vitali requested a Motion to Approve or Deny.

**MS. MCKEEN:** **MOTION TO APPROVE THE APPLICATION #A22-3.1 / 41 NORTH PLAINS HIGHWAY--**

Chair Vitali asked Commissioner McKeen to have the Motion include that an approved sketch of the project be submitted to Ms. O'Hare.

Commissioner McKeen amended her Motion.

**MS. MCKEEN:** **MOTION TO ACCEPT APPLICATION #A22-3.1, 41 NORTH PLAINS HIGHWAY, WITH THE REQUIREMENT OF A DRAWING BEING SUBMITTED TO ERIN O'HARE, ENVIRONMENTAL PLANNER, FOR HER APPROVAL.**  
**MR. NECIO:** **SECOND.**

Ms. O'Hare requested that the Motion would include the Conditions proposed in her Environmental Planner's Report.

Chair Vitali asked if those would be included in the drawing.

Ms. O'Hare said, The construction should be made in a dry forecast, and with a provision for me to come and inspect it. Also, that the Army Corps permit would be submitted later on; plus the stabilization work that Mr. Barrett would be doing, and the sketch to be handed in.

Commissioner McKeen withdrew her Motion, and Mr. Necio withdrew his Second. Commissioner McKeen made the following Motion:

**MS. MCKEEN:** **MOTION TO APPROVE APPLICATION #A22-3.1 / 41 NORTH PLAINS HIGHWAY- STEPHEN BARRETT, WITH THE FOUR CONDITIONS DETAILED IN THE ENVIRONMENTAL PLANNER’S REPORT, PLUS A SKETCH OF THE WORK TO BE SUBMITTED TO HER AND APPROVED BY HER.**

**MR. NECIO:** **SECOND.**

**VOTE:** **MS. MCKEEN – YES; MR. KERN – YES; MR. NECIO – YES; MR. CARUSO – YES.**

Chair Vitali asked Mr. Heilman whether he is an Alternate or a Regular Member. Mr. Heilman confirmed that he is an Alternate. Chair Vitali proceeded.

**VOTE:** **CHAIR VITALI – YES.**

**2. #A22-3.2 / 155 East Street – Ferti Management Corp. – (building addition, relocation of stormwater basin, driveway alterations) – ‘received’ per statute on 3/2/22**

Appearing were Mr. Tom Linden, Licensed Landscape Architect, of Linden Landscape Architects, LLC, in Wethersfield. Mr. Frank Ferti, Special Projects Manager, of Ferti Management Corp., and Wallingford Plant Manager Mr. Jeff Duval.

Mr. Linden said, It’s an 8,400-square-foot addition to the building in the northeast corner, some minor revisions to the driveway, and a new detention basin on that side. There is minor excavation on the west side for the volume we need to fill by the building. The dark blue line is the FEMA flood line and AE zones, and the light blue line is a 50-foot offset from that. Fill goes here by the building, so we’ll be lowering the grade on the west side of the site and creating this basin on this side. Last time, you asked us to find the groundwater. The first day, the two test pits were dry. After that, there were 6” of water in this test pit closest to the riprap outfall. That test pit shows the various layers of fill on the site. At the bottom is silty clay, above that is an 18” layer of coarse sand, then another layer of clay fill, and then topsoil material. The second test pit never had water. The water in the first hole is leaching out of the 36” sand layer--with silt and clay under it, there’s nowhere for the water to go. So this area is supposed to be lowered three feet and the excavation removed for that basin. It’s intended only to be for compensatory flood storage volume, not for infiltration.

Mr. Linden continued: Last time we showed we were creating 6,000 cubic feet of volume with 2,000 feet for detention and the rest for compensatory volume--but we’re not doing that now. So we revised and made bigger the detention on the east side and increased it to handle all the detention we need. We found groundwater at 5 and 6 feet in the four locations here. I went out April 19. It’s very uneven where we’re talking about, with pockets of water on the surface. It’s been dry ever since.

Commissioner Heilman said the test pit borings in April showed the groundwater and justifies it.

Commissioner Kern asked, Do you have prints of that certified by an engineer?

Mr. Linden said, We have those to submit. Everything’s been stamped.

Ms. O’Hare asked, When will revised site plans be submitted?

Mr. Linden said he can produce them tomorrow.

Ms. O’Hare said, The Commission is out of time by statute tonight, so the Commission will have to request an extension of time from the Applicant to the June meeting. The Town Engineer has to

review the certified drawings for the compensatory flood storage that drains from the parking lot. Does it infiltrate or sit there?

Mr. Linden said, The drainage report calculations will tell you that. Calculations did not include infiltration into the soil. It's almost 100% storage. We just received your memo tonight.

Ms. O'Hare said, So it will store water when it comes off the parking lot. The Town Engineer couldn't figure out how it drained out.

Chair Vitali said, If flood storage is needed—that retention pond is going to be full of water?

Mr. Linden said, Water basically flows from this pavement and across into that. We'd grade at this point to have water flow out.

Chair Vitali said, We also have a DEEP Notice of Violation. How are you addressing their concerns?

Mr. Jeff Duval, Plant Manager, said he accompanied the two DEEP persons inspecting. They noted the palletized, plastic-wrapped product outside. The woman said only to put a permanent roofing over what is stored outside—not enclosed. There have been no spills. When in her report she said "spills", it was an area that big (showed by hands) that we swept up that day as we went along. All raw materials are stored in the building. She suggested that we would move the product outside and bring it back in. No product was leaking.

Chair Vitali said, You have issues. You want to increase your building. You have to talk with the Town Engineer.

Ms. O'Hare said, I would like to see that they comply with the placards from their 2018 permit approval; also, to get the western basin corrected at the eroded area. Last week I asked about where flows go from the Hazardous Waste Storage area built in 2019 with Administrative Approval. The storm basin was never built right. The basin was to be built right on the north end and graded or planted correctly. The landscaper kept mowing it. It should be regraded and wetlands seed mix put in. It has to be corrected to bring it back. Also, the outlet from the basin needs to be maintained. And the concerns from the Town Engineer, a revised site plan, and a revised Stormwater Management Maintenance Plan need to be submitted.

Chair Vitali requested an extension from the Applicant or that the Applicant would withdraw.

Commissioner Kern said, They haven't complied with the 2018 Application, and now they're coming forward. They need an engineer to certify that it's being done right.

Ms. O'Hare said, If they withdraw, they would apply again and be received at the June 1<sup>st</sup> meeting and be seen at the July 27<sup>th</sup> meeting. We don't meet in August, so then it would be at the meeting in September. The biggest issue is no outside storage allowed. There's a lot of outside storage. If this Commission and P&Z want to approve with a roof over it—but I don't know if they would approve. There's storage at the Allegheny property. The Fire Marshal told me it's a brownfield and cannot lease as such.

Mr. Duval said, The Fire Inspector has been with me at the Allegheny site and did a full walk. He wanted separation of stacks, but nothing about not being able to lease there.

Ms. O'Hare said, There's potential for phosphorous and nitrogen and potassium coming off that site,

too.

Chair Vitali asked, Applicant, what did you decide?

Ms. O'Hare said, They granted the extension. I will follow with a letter. The DEEP issued a one-page Notice, which you got in your packet. DEEP has 30 days to do a full report, which the Applicant should be ready to address.

Chair Vitali said, There's issues.

This Application was extended to the June 1 agenda and tabled.

**3. #A16-4.3 / 103 North Turnpike Road – Joseph Richello – (apartment complex) – Request for release of bond**

Ms. O'Hare said, I have to go out. They are not ready for a bond release.

**4. #A22-4.1 / 14 Research Parkway – GKN Aerospace Services Structures, LLC – (parking area expansion & stormwater management alterations)**

Ms. O'Hare said the Applicant submitted a letter asking that this would be tabled. No maintenance has been done on the basin since their approval years ago.

Chair Vitali said, This could force us to be bonding for site work that should have happened. OK, it's tabled.

**5. #A22-4.2 / 25 Kondracki Lane – Carrie & Jonathan Burr – (streambank stabilization/ restoration & footbridge restoration)**

Ms. O'Hare said the Applicants sent in a letter requesting that this be tabled.

Chair Vitali tabled the Application.

**6. #A22-4.3 / 12 Mansion Road – Laura Cirillo – (after-the-fact fence installation & proposed yard edge filling and installation of fencing & shrubs)**

Appearing was Applicant Ms. Laura Cirillo.

Ms. O'Hare said that this location appears on two places in the agenda. They submitted this Application, but there is also an active Violation (Item I.7).

Chair Vitali asked, Will you be removing the material that caused the Violation?

Ms. Cirillo said, Yes.

Ms. O'Hare said, I spoke with Ms. Cirillo on the phone. A copy of my April 5 letter of Violation is in my packet to you. Then the Owner submitted an Application on April 5 that was in last month's packet. Material has been dumped to the back and has to come out. The Owner wants to add some nice soil and a fence.

Chair Vitali asked, Will you be removing the material that created the Violation?

Ms. Cirillo said, Yes.

Chair Vitali said, Are amenities in place now?

Ms. O'Hare said, No. Do you want to wait until the material is out? There is another fence below.

Ms. Cirillo said, There is a fence now. We didn't know we needed a permit. Then Erin came to see the fill. I explained the fill was there due to the landscaping company. Their truck got stuck. I'm waiting till we can remove it. Erin gave me the idea to put another fence along the top of the slope line. The other fence I put in and would like it to stay there.

Chair Vitali said, So that's the after-the-fact fence?

Ms. O'Hare, Yes.

Chair Vitali said, The other part is proposed removal of the filling.

Ms. O'Hare said, She wants to leave a small area of that dirt in the yard.

Ms. Cirillo offered to take it out.

Ms. O'Hare said, Separate from that is the idea of remediation.

Chair Vitali, Can we split this up? Does the Commission want to give her an after-the-fact fence installation approval for the existing fence? Then we'd also permit her to remove fill and install a new fence and shrubs, to satisfy the Violation. The fill is not removed yet.

Ms. O'Hare said, Or we could go to Item I.7. to handle the Violation by removing the fill.

Chair Vitali said, I'll entertain a Motion that after-the-fact fence installation would be allowed.

**MS. MCKEEN: MOTION TO DEEM APPLICATION #A22-4.3 / 12 MANSION ROAD - LAURA CIRILLO, NOT A SIGNIFICANT ACTIVITY.**

**MR. NECIO: SECOND.**

**VOTE: MS. MCKEEN – YES; MR. KERN – YES; MR. NECIO – YES; MR. CARUSO – YES; CHAIR VITALI – YES.**

Chair Vitali moved to Item I. Violations, #7:

## **I. VIOLATIONS**

### **7. 12 Mansion Road – Laura Cirillo – (unpermitted filling)**

Appearing was Ms. Laura Cirillo.

Chair Vitali said, They need to remove the fill and put the fence and shrubs in the appropriate area.

Commissioner Kern said, I'm worried about the soil and erosion. What's going to keep the fill from running down? It has to be hay bales or silt fence. What if they get a flash rain?

Ms. O'Hare said, It's in the Violation letter to remove the fill and install a silt fence in the appropriate area.

Commissioner Kern asked that the Violator should now be directed to remove the fill and install an S&E fence or hay bales in case they get rains.

Ms. O'Hare said, I'd like to have a silt fence at the bottom above the wetlands area in case there's any washout.

**MS. MCKEEN:** **MOTION THAT THE NOTICE OF VIOLATION AT 12 MANSION ROAD – LAURA CIRILLO - (UNPERMITTED FILLING) REMAIN, PENDING ADDRESSING OF THE SITUATION ACCORDING TO ERIN'S RECOMMENDATIONS IN HER LETTER DATED APRIL 5<sup>TH</sup>.**

**MR. NECIO:** **SECOND.**  
**VOTE:** **MS. MCKEEN – YES; MR. KERN – YES; MR. NECIO – YES; MR. CARUSO – YES; CHAIR VITALI – YES.**

Chair Vitali returned to Item D.7.

**D. 7. #A22-4.4 / 1251 Old Colony Road – James Delaney – (removal of existing mobile homes, septic systems & decks and installation of mobile homes, septic systems & water mains)**

Appearing was Project Engineer Mr. Rich Reynolds of LRC in Cromwell, CT, representing the Applicant.

Mr. Reynolds said, The property is at 1251 Old Colony Road with existing mobile trailers. It's bounded by Old Colony Road on the east and the Quinnipiac River on the west. Some commercial properties are on the north and south. It is served by Wallingford water and septic systems. A portion is in Zone AE. A 100-year flood zone line is shown on the plans at elevation 68.9'. Just below that are the flagged wetlands done by Scott Stevens. Soils on the property include loamy sand and gravelly-sandy loam. Hydraulic soil groups are Group A, highly permeable. Soil testing was done for some septic systems.

Mr. Reynolds continued, The property is approved for 29 mobile homes. In yellow are the existing homes, and in tan are the proposed homes. Per the Health Department, if new installations are to be installed, the installations must comply to the new Health Code. Eighteen new homes will be installed. Access drives go into the property. Old Colony Road is higher than the homes at the bottom. The property is serviced by Town water, and all existing trailers use septic systems. This plan shows 18 mobile homes. Two trailers will share a proposed septic system, leaching system, and septic tank. At the top here, three trailers will share a system and a tank. Each trailer will get new water service from the existing water line in the access drives. All existing trailers, sheds, and buildings will be removed except for this one, which is in good condition. There were approximately 25 trailers, and over time, the trailers were removed. Toward the Quinnipiac River slope are wood structures, which are going to be removed now.

Mr. Reynolds continued: Soil testing was conducted for the new septic systems. The Health Department witnessed the testing. Plans have been submitted to the Health Department for their review. Upon approval here, final plans will be sent to them for their final approval. Currently, they are satisfied with the design. Benchmarks will be added. This shows the septic system design. We show septic tanks, and septic fields and erosion control measures to be put in the access drives. Silt fence will be along the top of the bank. Erosion control information will be submitted. This sheet has construction details for the leaching system. Another has construction details for silt fence, silt sacks, and catch basins and erosion control measures.

Chair Vitali asked, Where are your catch basins going to be? Are those dry wells?

Mr. Reynolds said, They are existing catch basins that collect runoff from the drives, not dry wells.



There is a drainage system. We traced it. These basins are interconnected, and they drain out to the river, but we couldn't find where the pipe exits.

Chair Vitali asked, Have you got a drainage system for the parking, driveways?

Mr. Reynolds said, We're not changing the grading of the site. So the water is going as currently. The grade goes back toward the east.

Chair Vitali asked for Commissioners' questions.

Commissioner McKeen asked, Will there be a fence to keep people from throwing debris or litter over?

Mr. Reynolds said, There is an existing fence on the top of the slope, which is in pieces. Ms. O'Hare asked for a new fence there, and we'll add it.

Commissioner Kern asked, What is the regulation as to how many trailers can be put? I thought trailer parks were not allowed in Town.

Mr. Reynolds said, Correct. But existing trailer parks can be renovated. As long as we don't exceed what was there historically, it would be allowed.

Commissioner Kern asked, Does this have to be approved by DEEP or the State?

Mr. Reynolds said, It does not. We're less than 7,500 gallons a day for septic flow. So it's just a local review.

Commissioners Caruso and Heilman had no questions.

Chair Vitali said, I think in our regulations septic systems can't be within 150 feet of a watercourse. I think that was from Mr. Heilman years ago.

Commissioner Heilman said, That was for watershed, I think, though.

Chair Vitali said, Do you have a comment about that?

Mr. Reynolds said, It's been reviewed by the Health Department, and I don't think they commented.

Chair Vitali said, It's a Wetlands regulation, not a Health Department Regulation.

Mr. Reynolds said, If that is a requirement, then we can flop these two—we can rearrange the systems to make it happen.

Chair Vitali said, Or it's got to be addressed at this meeting why it doesn't pertain to the Quinnipiac River—that it was designed for a watershed area.

Ms. O'Hare said, You're talking about Section 2.1.Z.1 about Septic Systems. That doesn't mean it's prohibited. If it's proposed, it needs to come before the Commission to get a permit because it's a regulated activity. You have to propose it, and the Commission has to approve it. It's not prohibited. In my report, I indicated this was one of the regulated activities that the Applicant is applying for. But, yes, at some time we should revise that regulated activity because, as Mr. Heilman said, the intent

was for drinking water/public water supply watershed, not every watershed. Rich, are you planning to remove all those wooden structures on the slope?

Mr. Reynolds said, They are an eyesore. I would say we would want to do that. We don't want to disturb the slope, create any erosion—but anything unsafe, the property owner would take it down. The intent would be to walk down the slope, pick up what's unsafe, and not disturb the slope.

Ms. O'Hare said, I attached pictures of these items there. Anything that's installed?

Mr. Reynolds said, We'd just leave it if removing it would disturb the slope.

Ms. O'Hare said, You're grandfathered in for the 28 but you're only proposing 18. Would you come back for more?

Mr. Reynolds said, The Health Department says, if we're putting in new leaching and septic systems, we'd have to meet the current Health Code. The current Code requires that the septic tank and system has to be at least 10 feet from the trailers. And the State says a trailer is a building. We need to keep septic tanks and systems 10 feet from the trailers. So we're approved for 29, but we could only fit 18.

Ms. O'Hare said, I have Recommendations for Approval on pp. 3-4 of my report.

Chair Vitali said, I have no page 4. Mr. Reynolds, Do you have page 4?

Mr. Reynolds did not.

Chair Vitali asked, Have you seen the Recommendations? Are you in agreement with them?

Ms. O'Hare read from her p. 4: "Within a month, please submit revised plans to show the corrected 50-foot review area. It's supposed to be measured from the slope line instead of from the wetland line." This was an expanded Upland Review Area because the slope is steep, and he measured correctly—but it looks like the cartographer measured wrong by 10 or 15 feet. And on your revised plans you'd be doing the fencing that we talked about tonight, and adding the note that the Health Department advises to abandon the old existing septic systems by procedure. And you still have the Note #6 wrong about the floodplain—I couldn't find #6.

Mr. Reynolds said, Note #6 is on the Existing Conditions Plan.

Ms. O'Hare asked, Did you have a stockpile area?

Mr. Reynolds said, There's to be no stockpile—just to excavate for the septic system and then backfill.

Ms. O'Hare said, O.K. And add a note to the plan: "Any further activities to mobile home trailer park to be conducted by the owners or the residents—for example, tree or vegetation removal, installation of decks or additional parking areas, etc.—are required to obtain Wetlands permitting."

Mr. Reynolds said, Does that apply if it's not within the Upland Review Area?

Ms. O'Hare said, No, just in our jurisdiction.

Mr. Reynolds said, O.K.

Chair Vitali asked, So you're in agreement with all the Conditions of Approval?

Mr. Reynolds said, That's correct.

Chair Vitali said, I'll entertain a Motion on Significant Activity of the Application.

**MS. MCKEEN:** **MOTION THAT APPLICATION #A22-4.4 /1251 OLD COLONY ROAD – JAMES DELANEY – (REMOVAL OF EXISTING MOBILE HOMES, SEPTIC SYSTEMS & DECKS AND INSTALLATION OF MOBILE HOMES, SEPTIC SYSTEMS, AND WATER MAINS) BE DEEMED NOT A SIGNIFICANT ACTIVITY.**

**MR. NECIO:** **SECOND.**

Commissioner Kern asked, Modular homes are considered trailers. What is the square footage?

Mr. Reynolds said, They are trailers, 42' x 14', so less than 600 square feet.

Commissioner Kern said, Mobile homes—not modular.

Mr. Reynolds asked, Erin, please send me p. 4.

Ms. O'Hare will resend it.

**VOTE:** **MS. MCKEEN – YES; MR. KERN – YES; MR. NECIO – YES; MR. CARUSO – YES; CHAIR VITALI – YES.**

Chair Vitali called for a Motion to Approve or Deny the Application.

**MS. MCKEEN:** **MOTION TO APPROVE APPLICATION #A22-4.4 / 1251 OLD COLONY ROAD – JAMES DELANEY – (REMOVAL OF EXISTING MOBILE HOMES, SEPTIC SYSTEMS & DECKS AND INSTALLATION OF MOBILE HOMES, SEPTIC SYSTEMS & WATER MAINS) WITH THE CONDITIONS OUTLINED IN ERIN'S ENVIRONMENTAL PLANNER'S REPORT.**

In discussion, Chair Vitali said, That is subject to all the Conditions of Erin's Recommendations?

Ms. McKeen said, Yes, Sir.

Chair Vitali asked for a Second.

**MR. NECIO:** **SECOND.**

Commissioner Kern asked where the wetland flags would go.

Mr. Reynolds said, Wetland flags are way down by the river. The fence is going at the top.

Chair Vitali called for a Vote.

**VOTE:** **MS. MCKEEN – YES; MR. KERN – YES; MR. NECIO – YES; MR. CARUSO – YES; YES – CHAIR VITALI.**

**E. NEW BUSINESS** – There was no New Business.

Chair Vitali proceeded to Agenda F.

## **F. RECEIPT OF NEW APPLICATIONS**

### **1. #A22-5.1 / 5 Research Parkway – 5 Research Parkway Wallingford, LLC – (warehouse development)**

Appearing was Mr. Jeff Checkaway of Calare Properties, representing 5 Research Parkway.

Mr. Checkaway said, We submitted our Application yesterday. We're coming back now after approvals with you before for Montante and Amazon but denials at Planning and Zoning. It's to be a significantly smaller project, a 450,000-square-foot warehouse now that they've lifted the moratorium on warehouse applications. This falls within the new Watershed Interchange District. It's a new project with significantly less impact. We're proposing a warehouse but staying away from the wetland end of the property.

Chair Vitali said, Your last application had a tremendous amount of paving. What's your paving now?

Mr. Checkaway said, Thirty-nine acres of limited disturbance and about 25 acres of impervious area out of 180 acres on the site.

Chair Vitali said, The 25 acres includes the building, which is about 10 acres, and driveways and parking.

Mr. Checkaway said, There are some new regulations in place. A lot of things we're doing is on the existing roadways. I think we have 0.63 acres of Upland Review Area impacted. We're around 6.3 acres of wetland affected, but we're only around 10,000 square feet or 0.2 acres of URA impact. No fill is proposed.

Commissioner Kern asked, Erin, is there is any activity there now?

Ms. O'Hare said, No. They have people monitoring it now and then.

Chair Vitali asked, So you're ready to present next month?

Mr. Checkaway said, Yes, June 1<sup>st</sup>.

Chair Vitali said, Did you want to get clarification on whether a public hearing is needed?

Mr. Checkaway said, Yes.

Chair Vitali said, Commissioners? We haven't seen a map. But we know from previous applications how well they abided by the regulations.

Commissioner McKeen was willing to wait.

Commissioner Heilman said, What are the reasons for having that—public interest or wetlands?

Chair Vitali said, Public interest is one. To expedite, they could get it started in one month.

Commissioner Heilman said, We haven't seen the application, so we only have public interest at this point. So I'd like to review the Application before making a decision on Significance.

Chair Vitali said, It's your choice. You can either request a public hearing or take your chances after we get the plans next month.

Mr. Checkaway said, I think I'd like to pursue having a public hearing for public interest. We think we've mitigated potential impacts. I think going into a public hearing would be O.K. for the Applicant. They just lifted the moratorium.

Chair Vitali said, O.K. The Applicant has requested a public hearing.

Ms. O'Hare said, The Commission has to vote to set a public hearing. They have to say if it is a Significant Impact activity, public interest, or petition. We don't have a petition. Significant Activity means the Applicant is subject to certain reports.

**MS. MCKEEN:      MOTION TO MAKE A PUBLIC HEARING OF THE 5 RESEARCH PARKWAY APPLICATION AT THE NEXT WETLANDS MEETING DUE TO PUBLIC INTEREST.**  
**MR. NECIO:      SECOND.**  
**VOTE:            MS. MCKEEN – YES; MR. KERN – YES; MR. NECIO – YES; MR. CARUSO – YES; CHAIR VITALI – YES.**

Chair Vitali stated the Application will be advertised as a Public Hearing, and the hearing is set for June 1.

Chair Vitali stated for the record that the Wetlands Commission "received" four new Applications tonight, being Application #1 noted above and these Applications 2, 3, 4:

2. #A22-5.2 / 155 John Street – Town of Wallingford Sewer Division – (filling)
3. #A22-5.3 / 1107 Northrop Road – Mark Development, LLC – (industrial development)
4. #A22-5.4 / 4 Laser Lane – Brett Demmers – (stormwater management improvements)

**G. ELECTIONS** – Not held tonight.

**H. REPORTS & COMMUNICATIONS**

1. Discussion of proposal to adopt fines for violations – Not discussed.
2. Farm Hill Road Detention Basin – status – Not discussed.

**I. VIOLATIONS**

1. Notice of Violation Remains - 1245 Old Colony Road & Quinnipiac River – Jerzy Pytel – (unpermitted clearing & filling near river) – Not discussed.
2. Notice of Violation Remains - 950 South Colony Road – 1NRSJ, LLC – (filling) – Not discussed.
3. #A20-2.1 / 12 & 16 Northfield Road – (over-clearing in floodplain wetlands & URA issue)

Ms. O'Hare noted that at the last meeting in April she was instructed to take this Violation off the list, so it will be removed.

4. Notice of Violation Remains – 11 Trumbull Drive – J. Kobrin

Ms. O'Hare stated she recently saw the site and recommended release of this Violation at 11 Trumbull Drive.

**MS. MCKEEN:      MOTION TO RELEASE THE VIOLATION AT 11 TRUMBULL DRIVE – J. KOBRIN.**

**MR. NECIO:**            **SECOND.**  
**VOTE:**                    **MS. MCKEEN – YES; MR. KERN – YES; MR. NECIO – YES; MR. CARUSO – YES; CHAIR VITALI – YES.**

**5. Notice of Violation Remains – 1468 Tuttle Ave. – Dan Petrosky & Jessica Boudreau – (unpermitted forest clearing & fence installation in wetlands)**

Ms. O'Hare stated she recently saw the site and recommended release of this Violation at 1468 Tuttle Ave.

**MS. MCKEEN:**            **MOTION TO RELEASE THE VIOLATION AT 1468 TUTTLE AVE. – DAN PETROSKY & JESSICA BOUDREAU.**

**MR. NECIO:**            **SECOND.**  
**VOTE:**                    **MS. MCKEEN – YES; MR. KERN – YES; MR. NECIO – YES; MR. CARUSO – YES; CHAIR VITALI – YES.**

**6. 33 Summerwood Drive – Michael & Catherine Salzillo – (introduction of sediment to Town stormwater system hence to stream)**

Ms. O'Hare said the Owners have applied to Planning and Zoning for an Excavation and Fill Permit. This item remains on the agenda.

**7. 12 Mansion Road – Laura Cirillo – (unpermitted filling) – (This was acted upon in connection with D. 6 above.)**

**J. ADJOURNMENT**

**MS. MCKEEN:**            **MOTION TO ADJOURN THE MEETING.**  
**MR. NECIO:**            **SECOND.**  
**VOTE:**                    **UNANIMOUS VOICE VOTE TO ADJOURN.**

The Meeting was adjourned at 8:42 p.m.

**K. NEXT SCHEDULED REGULAR MEETING: June 1, 2022**

Respectfully submitted,

Kathleen L. Burns  
Recording Secretary