

Revised

Inland Wetlands and Watercourses Commission  
Regular Meeting  
Wednesday, March 1, 2023, 7:00 p.m.  
Robert F. Parisi Council Chambers  
Second Floor, Town Hall  
45 South Main Street, Wallingford, CT

Chair James Vitali called this Regular Meeting of the Wallingford Inland Wetlands and Watercourses Commission to order on Wednesday, March 1, 2023, at 7:02 p.m. in the Robert F. Parisi Council Chambers, Second Floor of Town Hall, 45 South Main Street, Wallingford, CT.

**PRESENT:** Chair Vitali, Vice Chair Deborah Phillips, Secretary Nick Kern, Commissioners Jeffrey Necio and Michael Caruso, Alternate Commissioners Aili McKeen and James Heilman, and Environmental Planner Erin O'Hare. Alternate Commissioner Mrs. Caroline Raynis entered the meeting at 7:25 p.m.

**ABSENT:** None.

There were 42 persons in the audience.

**A. PLEDGE OF ALLEGIANCE**

The Pledge was recited.

**B. ROLL CALL** - As above.

**C. CONSIDERATION OF MINUTES**

**1. Regular Meeting, Jan. 4, 2023**

Chair Vitali had requested that a portion of the discussion be transcribed from this Meeting video for Item J.3. regarding 67 Schoolhouse Road, in the January 4 Minutes. Ms. O'Hare provided that to the Commissioners tonight for consideration to insert on pp. 9-10 in those Minutes.

**MS. PHILLIPS: MOTION TO APPROVE THE MINUTES OF THE MEETING OF JANUARY 4, 2023, WITH THE ADDITION OF THE TEXT CORRECTIONS TO BE INSERTED BETWEEN PAGES 9 AND 10.**

**MR. NECIO: SECOND.**

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

**ABSTAINED: MR. CARUSO.**

**2. Regular Meeting, Feb. 1, 2023**

**MS. PHILLIPS: MOTION THAT THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 1, 2023, BE ACCEPTED AS SUBMITTED.**

**MR. NECIO: SECOND.**

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

**D. PUBLIC HEARING**

**1. #A22-10.1 / 59 North Elm Street – Choate Rosemary Hall – (building construction)**

For this continued public hearing, Chair Vitali asked Secretary Kern to serve again as Acting Chair. Seated members are: Commissioners Necio and Caruso and Alternate Commissioners McKeen and Heilman. At this time, Chair Vitali and Vice Chair Phillips recused themselves from this Application, and they stepped down from the dais.

Acting Chair Kern opened the hearing at 7:08 p.m.

Appearing for this Application were Attorney Dennis Ceneviva of Meriden and Mr. Patrick Durbin, Chief Financial Officer of Choate Rosemary Hall, along with Mr. Brian Kaye, Licensed Landscape Architect, from SLR Consulting, Ms. Megan Raymond, SLR Soils Scientist/Professional Wetlands Scientist, and Mr. Darren Overton, L.P.E., from SLR.

Attorney Ceneviva said, Last month we presented a 14,000-square-foot admissions building with a parking garage. The hearing was continued to tonight. The Applicant and the environmental team met several times, with submittals on February 24 to address outstanding issues. Also, we provided a Stormwater Management Plan dated 2/21/23, which you have. You were awaiting a memo from the Town Engineer on our effect on stormwater quality; and you received comments from the Environmental Planner on February 24 responding to stormwater runoff and excessive runoff conditions. The Applicant provided information as to design alternatives: We contemplated leaving the parking along Gunpowder Creek or putting bituminous next to the Admissions building, but we did not. We thought about the rain garden concept over the parking garage, which we did. We modified the stormwater design. Last, we're doing riparian enhancements as suggested by the Environmental Planner, which will be explained tonight. We added Erosion and Sedimentation Controls at Christian Street.

Mr. Brian Kaye of SLR said, Some items are new tonight. This is the proposed admissions building and going down Christian Street and eventually getting to the creek. 1) The parking spaces are being removed next to the creek. We did permeability testing two weeks ago for rain garden roof runoff, to allow 12 inches an hour of infiltration and in the drainage basin, allowing for 3 inches more per hour. 2) In the larger plan, there is some runoff going down here and into the football field and adjacent lawn—another way to infiltrate in a medium-size event. 3) In a large storm event, it goes to the stormwater basin. As that fills up, it eventually goes to the creek. That's how the creek receives it. An alternative consideration was to put the parking lot construction entrance on Christian Street, where we had previously shown on North Elm. 4) Last, we were asked to respond to the Suggested Condition of Approval for a riparian corridor, which is an option for you to consider. So I think this project is going to improve stormwater peak flows. We answered questions from the Town Engineer and Ms. O'Hare.

Acting Chair Kern said, This information Ms. O'Hare just handed out to us. Have you seen it?

Attorney Ceneviva said, We don't have a problem with it as a reasonable design for the Erosion Control Plan.

Commissioner Heilman said, In the underground parking, is there any means by which you drain that, and where does drainage go from the salt and flow off cars? Would you allow electric cars to be in there? We know electric car fires cannot be put out. How would that work in relation to the drainage?

Mr. Darren Overton said, I have been the principal design engineer here. We talked a month ago with the mechanical engineers on the project. They designed the drainage, and the sanitary in this building is controlled by them. As to the drainage of sprinkling in the building, I believe there could be EV charging in the building. If there were a fire, there's sprinklers there. How do you deal with that? I think that's what the NFP Code is working on. I'm not sure. But any drains in the building would be tied into

the sanitary sewer, not into the drainage, as per the Building Code. We have no plans for sewer drains in the garage to drain into the sewer system.

Commissioner McKeen said, We're getting no information about the stabilization of the corridor.

Mr. Overton said, It shows the process. We met with the Environmental Planner about the riparian corridor. A suggestion was made about installing a check dam. We came up with a response to the Environmental Planner and your concerns. The check dam is shown on the plan. The Environmental Planner was out there, and she saw the channeling. We felt we could handle it.

Commissioner Mrs. Raynis entered the Meeting at 7:25 p.m.

Commissioner McKeen said, There's a long history with this waterway. Basalt is used for gunpowder. George Washington came here to buy gunpowder which was taken from the basalt water. Its condition is offensive to my eye.

Acting Chair Kern said, The sidewalk, is it to be concrete? Is it going to be for vehicles?

Mr. Kaye said, It's going to be bituminous asphalt, 8 feet wide, to accommodate students walking and as the source of campus tours.

Acting Chair Kern said, That sidewalk by the field, will you put chemicals on it, regarding stormwater quality? How will you prevent it from soaking into the ground?

Mr. Kaye said, The rain garden in the front has an overflow going to the engineered basin. The basin toward the football field has a permeability rating of 3" per hour. Removing those parking spaces gives us another 20 feet of lawn area for permeability. It has to travel quite a ways to get to the river.

Acting Chair Kern said, On asphalt, will the walkway remain?

Mr. Kaye said, The walkway will remain.

Acting Chair Kern said, That walkway will be packed with cars. You're not gaining anything by having it.

Mr. Kaye said, It's being maintained for fire access on the campus and for the beginning of campus tours. It's not intended to have cars parked on it. We're taking away 60 spaces and putting 70 in the garage.

Acting Chair Kern said, But those 60 spaces going away are to the east of the field. You're not really gaining anything there. How many people are going to park in the parking garage when there's a game and the Town has soccer tournaments? Where are they going to park? When I go to soccer, I walk and watch my child play at the far field.

Attorney Ceneviva said, We're providing new spaces in excess of those being taken away—60 away and 70 to be used for the garage. The Town Engineer's report said the removal of spaces will have a positive effect. The first flush runoff will no longer be taking runoff from vehicles. So adding 19 to 20 feet of new lawn area as opposed to impervious before.

Acting Chair Kern said, You said lawn is going to be in that 20 feet. You gave something of a stock answer. So in that grassy area you're going to have drainage run through it?

Mr. Kaye said, No, the diagram you're showing is where the creek daylight. It's further to the left, in between the football field and the baseball field.

Acting Chair Kern said, It's to be down near the previous space. Questions from the Commission? There were none.

Ms. O'Hare said, The extension was granted by the Applicant on February 1, which brings us to today. Then we are out of time for this public hearing. I sent a memo to the Town Engineer on February 16, and on the 17<sup>th</sup> I met with Choate's project team. On February 22 the Applicant submitted documents: the Wetlands finalized plan dated 2/21 with responses from comments to SLR, a revised Stormwater Management Plan, a cross-section of the Center Street bridge showing the opening, and the FEMA floodplain map. Today they submitted two revised diagrams. I had asked where they got the image of the bridge. Could you talk about why those were important to be included?

Mr. Kaye said, For the FEMA map, we talked about flooding. On this map I'll try to show what could be happening at the Center Street bridge. My arrows on the left point to the bridge; and the other two arrows are pointing to the bottom of the stream and the storm events up above. Those events don't align, and there's a backup. When we've seen flooding happen from a peak water condition, the bridge is causing the backwater condition. The bridge had been built 2-3 years ago, per your Town Engineer, when it was rebuilt from a 20-foot opening to a 32-foot opening then. So maybe some of the backwater condition has been alleviated. This was one of the results.

Acting Chair Kern said, You're not telling us you shifted it, but the Center Street bridge was shifted for this. Last month, a woman said the water was backing up in her yard.

Commissioner McKeen said, Her address was on North Elm, north of the new addition. I understand you said that the Center Street bridge was causing problems and there was a lot of work behind that gas station that may have affected it.

Mr. Overton said, The floodplain map only shows the floodplain associated with Wharton Brook and Gunpowder Creek up to where the creek daylight. So there's no floodplain shown by FEMA in that north area. There's no FEMA map with that. Our storm drainage overflow ties into Gunpowder Creek. We added no stormwater north of that. So the analysis shows that we don't have an impact on the floodplain. We actually show a decrease downstream, and certainly there's no impact upstream of this.

Ms. O'Hare said, Darren, I understand you're meeting the peak flow rate requirement. However, isn't more water being put into Gunpowder Creek overall?

Mr. Overton said, We didn't analyze volume.

Ms. O'Hare said, But isn't that a general factor of development?

Mr. Overton said, We didn't analyze it and didn't design to mitigate volume. So I can't determine if there's an increase or not.

Ms. O'Hare said, But you stated that the project is not going to have an impact on Gunpowder Creek in terms of flows. I'm pointing out that there is an impact in terms of volume, but we don't regulate it in Connecticut.

Commissioner Heilman said, You can take any volume and spread it out over time. So I can understand it's not being engineered for volume.

Mr. Overton said, When you change the land coverage on a plan, you change the calculation. It's going to drain into the watercourse. Depending on the situation, the flows in the stream could be a benefit to the receiving wetlands. Because we don't normally analyze volume, we don't analyze impact.

Acting Chair Kern said, How can you be walking away when there's already a problem out there, and you're telling me you're not going to add to it? How do you help resolve the problem that's there? At times, they shut down the fields when they're under water.

Mr. Overton said, I think it's the peak flows. We followed all the Town and State requirements. We can see we have not added to the flow, and there's a small benefit to the downstream flooding. Volume is not analyzed. It's the peak flows that are analyzed for FEMA.

Ms. O'Hare said, All development increases volume for water. They don't regulate it in Connecticut. If you put more and more water in a system, it reaches a point of capacity.

Commissioner Heilman said, There has to be an increase in volume. The engineering is to prevent the increase in drainage by attenuating it over time. Wetlands want water, so what your engineer has done here is provide the necessary water for the wetlands corridor over time without the possibility of drainage due to lack of control.

Mr. Overton said, In the soil testing and the high infiltration rates we found with the collection areas for the roof leaders and the bioswale, we're mimicking the model. That infiltration will run back onto vegetated area and running it back into the ground. So we've allowed for volume of infiltration. We're not going to have excessive flooding downstream.

Commissioner Heilman said, Can you read in the Town Engineer's report bullet 2 about the peak flow?

Ms. O'Hare read #2 in the Town Engineer's memo to the Environmental Planner dated February 24: *"2. Peak flow attenuation is required to not exacerbate flooding conditions. The general stormwater management concept is acceptable—[Ms. O'Hare said, "meaning in this project"]—is acceptable as the design reduces peak flows up to the 100-year storm for all subwatersheds including outlets to Gunpowder Creek and the Christian Street drainage system."*

Commissioner Heilman said, That's how they're describing it.

Ms. O'Hare said, So I am not suggesting that they have not met the requirements, at all. That led me to Commissioner McKeen's idea of a riparian corridor. This stream needs help; it's not in bad condition. Its primary function today is as a conveyance of stormwater from development. It has five or six discharges to it from the various developed areas that come into it. It has very little vegetation on the side, so I was pushing for a riparian buffer. I posed it as a Condition of Approval, that they would do it as enhancements to Gunpowder Creek. Essentially, it's a check dam to tame the flows in significant storms, and they indicated 5 or so spots where the edge of the stream is eroded. I'll pass out pictures about when we say "eroded". (Ms. O'Hare gave those to the Commissioners.)

Mr. Kaye said, That check dam to the right across the creek, that's where we propose that feature. That's where those pipes daylight--slowing the flows from those pipes is a good thing. Those are areas we felt to think about mitigation of plantings, a boulder, at different locations in that corridor.

Acting Chair Kern said, Do these dry up when we have a dry spell?

Mr. Kaye said, I don't think so.

Commissioner McKeen said, These are always wet, sometimes not really a visible flow.

Ms. O'Hare said, This isn't the classic eroded banks that we're used to seeing in "flashy" streams with the reddish soil that really gets cut and you have a very stream-eroded type of bank. It's pretty flat. It's a muddy bottom. The banks are very low there and you're not going to get cutting into the bank.

Commissioner Heilman said, You only get that when you have relief. You could go back 100 years, and this has been in control. This is straight in a flat area. You're not going to put it back into a natural condition. I think what they're doing is for that purpose, to control it. In your report p. 5, you wrote it would be important to give us a report on how any riparian work they do in there goes. I'd like them to give you information, for value for future activities.

Ms. O'Hare asked, Would you, Brian, agree with the Conditions of Approval that were discussed? My Commission got a tweaked version tonight. You were in agreement with the conditions. But we want to hold back on a riparian corridor until Choate gets a chance to look at this system?

Mr. Kaye said, Yes. We do not want to make a change without data to support it.

Acting Chair Kern said, I'm confused. You say it's going to be stretches in there that you want to protect. Now you tell us about underground water overflows into the area and you're pumping back into the ground. How does one fit into the other? You and I know it's always going to be wet on the low areas of the soil. You've done deep-hole testing. What type soil is under there?

Mr. Overton said, In the area where we did the soil testing near the rain garden and the stormwater management basin, there's sandy soil and we found the rain ranges from 3" to 10" per hour. In the Gunpowder Creek area, you're at the bottom of the valley. In rain, you have the groundwater breaking out from both sides at that valley and feeding the creek; and then, outside of your stormwater events, you have surface water sheeting events. So two different sets: 1) with the groundwater and 2) up where there's the building. In the area of the building, you wouldn't normally see groundwater 10 to 13 feet—but that's what we found on that hillside: the groundwater table varies where we're putting the building.

Acting Chair Kern said, And the remaining area?

Mr. Overton said, It's permeable. It's discharged soils on the soils map, and I suspect there's glacial till.

Ms. O'Hare said, In my EPR tonight I added some things: the construction anti-tracking pad. Then I ran the list of outstanding information that they completed to date: soil test results on Friday; and a figure for the green roof. We discussed the riparian corridor and the construction entrance location change; and alternatives that they determined in the design regarding wetlands. The basin when the green roof is frozen, Brian?

Mr. Kaye said, When the green roof is frozen, it's going to act like lawn.

Acting Chair Kern said, I'd open it up to the public for wetland issues only.

Dr. Tom Fixlin said, I reside on Christian. Are you able to block that road with bollards? Could that be a condition, to prevent parking of cars during events? There are crowds. Where the building is to be constructed also becomes a parking area for events. They're going to use those 70 spaces in the garage. Prior, I commented on the storms based on a 10-year flow rather than a 100-year flow. Those

flows are based upon past data, and we all know what climate change is. I request that the stormwater basin would be redesigned to take that into consideration. At the February meeting, it was said there have been three major flooding events: September 2018, 7.58"; July 2021, 5.22"; and September 2022, 5.94" rainfall totals. Each storm had totals that exceeded 5.1", the 10-year frequency. I'd ask the Commission to require the Applicant to redesign these stormwater basins to accommodate stormwater events.

Mr. Robert Blanchard, 39 Curtis Avenue, said, I'd say about 100 to 200 cars park near the building that's to be built. Those cars park on that field that gets wet. That drainage runs directly into the creek—cars dropping gas or antifreeze. You're going to have an issue. I'd propose another Condition of Approval that there would be no parking along that road off that creek because it would cause problems. Also, in the July 2014 Minutes, Mr. Overton spoke on the #A14-6.2 for faculty housing on the northern section. Four acres of trees were cleared. There is an increase in runoff. Mrs. Schott spoke before that her back yard is not useable. So if the people downstream get a flood, you have to recall that issue. So how do we establish the current conditions regarding flooding issues in the future? Those people are going to be affected. I'm quoting this to make all of you understand the current condition. Section 13.3 of the Regulations say the Commission must impose a requirement of the applicant to provide liability insurance for two years after the construction. I am sure that's a condition to protect the people who would be downstream.

Acting Chair Kern asked, Do you mean the people north of the project?

Mr. Blanchard said, The concern is for south of the project now, to help neighbors maybe who are damaged so they have the ability to have protection if they get damaged downstream. I think it's a high priority.

Mr. Phil Youker, Curtis Avenue, said, I'd like the Commission to consider all the public input. I was in Ms. O'Hare's office, and I saw something on how to conduct a public hearing, factual information as a basis for making a decision. So I'd submit for the record a paper about the facts of this application (copies given to all the Commissioners and to Ms. O'Hare). The drainage report says this permit is a significant source of impervious coverage onto the watershed, 12% higher than the former dormitory. This building sits within the watershed zone, a structure of 6,300 square feet of impervious coverage on watershed, half of the proposed Admissions Building. It's two-thirds of the watershed on 'Watershed 12'. Detention basin 120 receives all the drainage from the building and this part of campus. I think this submission would have affected that. Data was excluded here. If you approve this, it would be deciding on less data. Section 7.9 requires accurate data for applications. I'm requesting that this Commission deny this application tonight.

Acting Chair Kern said, Thank you.

Mr. Blanchard said, This is exactly what I'm talking about. Mr. Ceneviva, I think he missed a whole building in the analysis. I'm talking about what happened 1½ years ago, and now we're living with it.

Acting Chair Kern said, What do you believe that they forgot?

Mr. Blanchard said, In the current analysis, in the calculations.

Acting Chair Kern said, Do you know what the change was, or what this would be in this proceeding?

Mr. Blanchard said, It's in the watershed.

Acting Chair Kern said, Anyone else who wants to speak for or against this Application? All right. It's time to get answers to these questions that were brought forward.

Ms. Sigrun Gadwa, Carya Environmental Services, said, I'm speaking with regard to watershed protection techniques against floodplain erosion. This is an area that's been eroded. Higher in the stream, there's a longer duration of flow adjacent to the upper bank in the peak flow conditions. There's shear against the soil on the side of this bank. And the gradual wearing away and then the undercutting and caving in. There's a vivid explanation in a study in Maryland and metro Washington/Baltimore. Channel degradation due to increased flow leads to wider and shallower channels. And there are re-bar markers on the edges of the banks. I provided a copy to Erin O'Hare. Also, there's significant holding of banks by tree roots and shrubs—they do reduce flow. I think any responsible project should include those for holding banks as well. I don't know enough about this project to be opposed or for it.

Mr. Mike Votto, 377 North Elm Street, said, I'm not an engineer. I'd like to ask about volume and water. When you approve anything like this, do you do any follow up? Ms. O'Hare?

Ms. O'Hare said, My office follows up on the Conditions of Approval. I check to make sure their erosion controls are in correctly. Then during construction I go out to inspect, and they have their own inspector. I think you're looking for an engineering analysis as to design?

Mr. Votto said, Yes.

Ms. O'Hare said, I don't do that, but I'm sure they have developed what's required.

Mr. Votto said, You're making a decision based on what you're being told by the applicant. At the last application we were told there would not be houses that have more water. There's much more water in back, and the block behind my house is destroyed. The water goes down. You can make a decision tonight. I hope you vote a positive "No". I'd like to know from you if it's in your by-laws that it could be followed through with? It hasn't worked out on North Elm Street, but I want you to make sure Choate follows up and does what they're supposed to do.

Ms. O'Hare said, We had a recent development with Mr. John Orsini at 2 and 1107 Northrop Road—the one, not on the Meriden side; the other, on the south side. His engineer Jim Cassidy put into the plan six-month, one- and two-year follow-ups by a professional engineer to see that it is performing as designed. Occasionally that is done.

Acting Chair Kern said, Erin, are you ready to answer questions?

Attorney Ceneviva said, I know with Mr. Votto's complaint that the Environmental Planner went out and checked that work in that prior project. She found that the work was built as drawn, and the Town Engineer checked it, too.

Mr. Votto said, No one fixed the patios or driveways, and a number of trees were taken down.

Attorney Ceneviva said, As to the first speaker who said the stormwater basin should be reevaluated: It's been evaluated by our team and by the Town Engineer. As to the comments by Mr. Youker, Darren Overton had stated that at first. Thomas Fixlin made a reference to the swale in front of the building, and he thinks it ties to the stormwater and 10-year storm. Our analysis included up to a 100-year storm. We're using the NOAA Atlas 14 data, which is adopted by the DOT. So the 100-year storm in this NOAA would be an 8.3-inch rainfall. Mr. Blanchard mentioned about failures of engineering, and he referred to the 8-lot faculty housing project that I worked on several years ago. We provided a stormwater basin

draining to the creek on the south side of the road. On references by Mr. Blanchard and Mr. Votto, those locations are about nine houses north of this project. So I think our downstream water will have no effect northward. He said the Farm Detention Pond was being changed over time, so that may have increased the water in Mr. Votto's back yard. But he can't say how the stormwater at the faculty housing would have affected lands north of that. Last, a neighbor mentioned Edsall House, where the roof leaders are tied to the creek, but they disperse south and towards the football field, and that comes in 15 feet to the west. We actually did make a mistake with the Watershed because it includes that house for the Watershed. And there's no change in the runoff. I don't know about a change in elevation in a stream corridor caused by backflow. It's not a condition that we have. It's a stable channel. It's a flat stream corridor with low velocity, so increases in volume if we do have them don't have an effect. We don't have a significant erosion condition downstream.

Acting Chair Kern said, I'm confused on the Edsall house.

Mr. Ceneviva said, The roof leaders were designed to go away from this area. Runoff already trails away from our stormwater catchment design, away from our site.

Mr. Youker said, That location on the southern side of the Watershed took flow down into a catch basin. You'll see how the water flows south into the creek, and how the driveway is sloped and the sidewalk. If you walk there, you'll see that this needs to be included in the runoff.

Ms. O'Hare said, Darren just said "We have a stable stream." I don't think it's a stable stream, so in my photographs there's erosion that's been ramped up by the force of stormwater. It's flat. It's atypical from other streams that I see where the evidence of erosion is clear. But I wouldn't call it a stable stream.

Mr. Overton said, There is no evidence of a bank being eroded. It's straight because it's over many years. So I'd say it's been a stable stream, a very flat, narrow channel, in my opinion.

Ms. O'Hare said, There's a spot on Wharton Brook where the stream actually jumped the banks and went overland. That is not stable. This is not that situation here. But I do understand what you're talking about, the morphology of the stream is stable.

Acting Chair Kern acknowledged Mr. Blanchard.

Mr. Blanchard said, That's true when you talk about the groundwater that affects the houses. But the trees were cleared. In relation to the drainage pond that you referred to, nothing changed since those houses were built. So 2022 was an average year of rain, and in 2022 these people had water standing in their yards.

Acting Chair Kern said, At this time I'd close the public hearing if no one has anything more to add. I'd turn it over to the Commission at 8:46 p.m. Commissioners, questions?

Mr. Caruso said, I thought it was a good idea to have additional background on that.

Acting Chair Kern said, Really, an access point for having electric vehicles come into that. I would look at that for safety.

Commissioner Caruso suggested not to use it (the garage) for event parking.

Acting Chair Kern said, So 60 to 100 people come to watch events.

Commissioner McKeen said, And graduation.

Ms. O'Hare said, I believe Attorney Ceneviva could answer any questions now.  
Attorney Ceneviva said, The parking is a Planning and Zoning issue.

Ms. O'Hare said, That is appropriate for Planning and Zoning. You can direct questions, but you can't ask Darren about something.

Commissioner Heilman said, For procedure, is the closing of the public hearing declared, or does the Commission vote on it? Is it just a declaration by the Chair?

Ms. O'Hare said, The Chair did ask for additional public comments.

Acting Chair Kern said, Asking the individuals. But I was referring to you, the Commission, whether you had any.

Mr. Heilman said, I was just working on procedures from the past. I'm fine.

Mr. Necio said, I'm fine.  
Mr. Caruso said, I'm fine.  
Ms. McKeen said, I'm fine.  
Mrs. Raynis agreed.

Acting Chair Kern said, With everyone's consent, I'd close the public hearing as above and move forward.

## **E. CONSIDERATION OF PUBLIC HEARING ITEM**

### **1. #A22-10.1 / 59 North Elm Street – Choate Rosemary Hall – (building construction)**

Ms. O'Hare read aloud the six proposed Conditions of Approval as printed in her Environmental Planner's Report of February 24.

Acting Chair Kern said, And we want to ask them to provide us a yearly report associated with the functions of the Stormwater Management System. And they suggested bollards down the road to the housing complex.

Ms. O'Hare said, Where in Christian Street would those go? How are people going to get to the gym or the Student Activity Center?

Acting Chair Kern said, So bollards are not going to be in the plan.

Ms. O'Hare said, No, but conditions can come in the Planning and Zoning process. I don't know if it's a Wetlands issue.

Acting Chair Kern said, And we want to ask them for a yearly report associated with the functions of the Stormwater Management System.

Ms. O'Hare said, It's actually in their latest Stormwater Management Maintenance Plan. She read proposed Condition #7 aloud:

"7. Inspections of the Stormwater Management System to be completed by a Professional Engineer experienced in the construction and maintenance of stormwater drainage systems with reports to be

submitted to the Environmental Planning Office six (6) months after completion and at yearly intervals for five (5) years hence.”

Acting Chair Kern asked, Were they (reference: the Applicant) provided the proposed Conditions?

Ms. O’Hare said, Yes.

Acting Chair Kern asked, Is the \$15,000 bond enough?

Ms. O’Hare said, Yes, it includes labor and E&S materials, etc. And Planning and Zoning will have an Erosion Control Bond as well. This here is posted to cover the Erosion Control, the plantings, silt sacks, etc.

Acting Chair Kern said, Does the Commission want to go forward to vote or to table this to next month?

Ms. O’Hare indicated that Commissioner Heilman has to state for the record that he caught up with this and has done his homework.

Commissioner Heilman said, Yes. I watched the whole thing, and I have read every report that has been out on it.

Ms. O’Hare said, So you missed the February 1<sup>st</sup> hearing meeting, but you were here for the previous one, and you have caught up on everything..

**MR. CARUSO: MOTION THAT APPLICATION #A22-10.1 / 59 NORTH ELM STREET – CHOATE ROSEMARY HALL – (BUILDING CONSTRUCTION) BE APPROVED WITH THE STIPULATIONS SET FORTH IN THE 6 CONDITIONS OF APPROVAL IN THE ENVIRONMENTAL PLANNER’S REPORT OF MARCH 1, 2023, PLUS CONDITION #7 TONIGHT, AS FOLLOWS:**

- 1. FINAL DOCUMENTS TO BE SUBMITTED INCORPORATING THE CHANGES OR REVISIONS AGREED TO UP TO CLOSE OF HEARING. SUBMITTAL DATE TO BE AS SOON AS POSSIBLE AFTER PZC ACTION.**
- 2. REGARDING POSSIBLE CHANGES TO THE APPROVED SITE PLAN SET OR TO ANY DOCUMENTS ASSOCIATED WITH THIS PERMIT THAT MAY NEED TO BE EFFECTED IN ORDER TO COMPLY WITH ANY REQUIRED CHANGES RELATIVE TO A POSSIBLE PZC SPECIAL PERMIT APPROVAL, IT IS UNDERSTOOD THAT BEFORE THESE CHANGES ARE INCORPORATED INTO THE IWWC FINAL PLAN THEY WILL BE SUBJECT TO ENVIRONMENTAL PLANNER REVIEW TO DETERMINE IF REVIEW BY THE IWWC MAY BE NEEDED BEFORE ACCEPTANCE AS UPDATES TO THE PLAN, OR, IF FURTHER IWWC PERMITTING MAY NEED TO BE OBTAINED.**
- 3. ENVIRONMENTAL PLANNER TO BE GIVEN ONE-WEEK NOTICE OF COMMENCEMENT OF PERMIT ACTIVITIES TO SCHEDULE INSPECTION FOR APPROVAL OF EROSION CONTROL MEASURES AS INSTALLED ONSITE IN LOCATIONS AND TYPE AS PER APPROVED PLAN PRIOR TO PERMITTEE MOVING FORWARD WITH FURTHER WORK.**
- 4. IWWC PLACARDS (SIGNAGE PROVIDED FREE-OF-CHARGE AVAILABLE AT ENVIRONMENTAL PLANNING OFFICE) TO BE INSTALLED ON POSTS; ONE NEAR WETLANDS LOCATED IN VICINITY WHERE GUNPOWDER CREEK ‘DAYLIGHTS’, AND, TWO FURTHER SOUTH, NEAR WETLANDS ON EITHER SIDE OF ROAD CROSSING JUST SOUTH OF THE ICE RINK FACILITY.**

**5. CERTAIN MEASURES DETAILED BELOW SHALL BE IMPLEMENTED IN GUNPOWDER CREEK WITHIN 6 MONTHS OF THIS PERMIT APPROVAL:**

- A) TO IMPROVE THE MINOR EROSION IN EVIDENCE ALONG PORTIONS OF THE BANKS BY THE STABILIZATION OF THE ERODING BANK AREAS WITH COIR LOGS AND VEGETATION TO TAKE HOLD OF THE BANK EDGE, AND**
- B) TO TAME THE FORCE OF STORM FLOWS EXPERIENCED DURING SIGNIFICANT STORM EVENTS WHICH ARE PARTIALLY CAUSING THE MINOR BANK EROSION BY THE INSTALLATION OF A STONE CHECK DAM ACROSS THE BOTTOM OF THE CREEK**

**THESE MEASURES TO BE COMPLETED AS DEPICTED IN AN IMAGE/DRAWING SUBMITTED 3/1/23, ENTITLED “RESPONSE TO COMMENT #5 – FROM EPR 2/24 - POTENTIAL GUNPOWDER CREEK ENHANCEMENT”. IMPLEMENTATION OF A RIPARIAN CORRIDOR WETLANDS ENHANCEMENT PLANTING PLAN AS PART OF A LARGER STUDY OF THE WATERCOURSE, ITS ASSOCIATED FLOODPLAIN, AND ITS CONTRIBUTING AREA IS STRONGLY ENCOURAGED FOR THE NEAR FUTURE.**

- 6. BOND (\$15,000) TO BE POSTED TO COVER EROSION CONTROL PLAN.**
- 7. INSPECTIONS OF THE STORMWATER MANAGEMENT SYSTEM TO BE COMPLETED BY A PROFESSIONAL ENGINEER EXPERIENCED IN THE CONSTRUCTION AND MAINTENANCE OF STORMWATER DRAINAGE SYSTEMS WITH REPORTS TO BE SUBMITTED TO THE ENVIRONMENTAL PLANNING OFFICE SIX (6) MONTHS AFTER COMPLETION AND AT YEARLY INTERVALS FOR FIVE (5) YEARS HENCE.**

**MR. NECIO: SECOND.**

**VOTE: MR. HEILMAN – YES; MR. NECIO – YES; MR. CARUSO - YES; MS. MCKEEN – YES; MR. KERN – NO.**

Commissioner McKeen said as she voted: Yes, the idea of the underground garage and the rain garden are good, but I would like to see more put into the riparian corridor.

Acting Chair Kern said as he voted: You did everything you have to do to get this approval. We can't go on with what's happening out there right now. I think we didn't gain anything here. So I'm voting "No."

Chair Vitali and Vice Chair Ms. Phillips returned to the dais at this time.

**F. OLD BUSINESS**

**1. #A18.22 / 32 Barnes Road – Request for release of bond**

Ms. O'Hare stated that this item is not ready for action.

**2. #A22-12.2 / 1299 South Broad Street – Hutton Street 21 LLC (Nicholas Plummer) – (carwash facility)**

Appearing were Attorney Carl Landolina of Fahey & Landolina Attorneys, LLC, Meriden, with Mr. Sagan Simko, Soils Scientist/Wetlands Scientist, and Ms. Sarah Costagliola, P.E., and Mr. Matthew Booth, P.E., all of BL Companies, 55 Research Parkway, Meriden.

Attorney Landolina said, We are to the point of discussing Conditions of Approval as from your Environmental Planner, which you have. Those Conditions are on the plan. Sarah just gave you a copy of the wetlands area. We asked the Owner to go out and take care of the trash adjacent to the rear property line, which was taken away from the wetlands area. This Application for a carwash facility is in Meriden and Wallingford. In Wallingford, parking surface is to be removed and landscaping is to be put in the Upland Review Area.

Mr. Matthew Booth showed the plan: The portion in Meriden received approval from Meriden Wetlands Board. In Wallingford, there will be grass, vegetation, and plantings. We received staff comments, and this photo shows the plan for Restoration/Enhancement Plantings. There will be some excavation and additional mitigation. We have a Temporary Sediment Trap. There will be signage of the meadow area and mowing only every three years. We'll comply with Ms. O'Hare's Conditions of Approval.

Chair Vitali said, You've had discussion with Erin O'Hare. She was to get you in touch with the State DEEP or Highway Department for more information. You're agreeing to her Conditions of Approval?

Mr. Booth said, Yes.

Chair Vitali said, I'd mention to the Applicant about the Phase I Environmental Study. I think it missed a piece of information. It jumped from 1934 to 1945 to 1950 to 1992. Was some of the metal existing in the ground?

Mr. Booth said, The Conditions presented by staff asked for: 1) change in species for landscape plantings. We'd add 10 more shrubs and trees in addition to what's shown. 2) We'd provide landscaping measures in spring and to plant in December. If we finish construction of the building in the winter, we'd wait until spring for planting. 3) Restoration of plantings in the URA and taking others out as discussed. 4) Buried material will be removed offsite during construction and will be replaced with new soil. 5) This relates to Erosion Control measures. 6) The Environmental Planner is to conduct onsite investigations and monitor for erosion issues and wetlands plantings that we do, and see if there are iron-oxidizing bacteria. 7) We agree to the Erosion Control Plan for groundwater and to install a double row of silt fence and the Temporary Sediment Trap. 8) A \$30,000 bond is required for Erosion and Sediment Control and restoration.

Attorney Landolina said, Given that we will have an E&S bond with Planning and Zoning, I think this might be a little excessive. This is a small project.

Chair Vitali said, We'll think about it.

Commissioner Kern said, Every three years you're going to mow the Wallingford portion? But that's not to eliminate the obligation of staff to pick up the litter.

Mr. Booth said, That was required for the seeded portion.

Chair Vitali said, Three years is too long.

Commissioner Heilman said, The Stormwater Maintenance is very good.

Commissioner Mrs. Raynis said, Last time there was going to be a sign that identifies that as meadow?

Attorney Landolina said, Yes, it's on the plan.

Ms. O'Hare said, The Revised Plan came in on Friday. Could you show me where the signage is? I had asked for signage for no snow disposal and cutting to distinguish the meadow from the mown area. The open meadow area is meadow mix growing in between the shrubs, which could get mowed over.

Ms. Sarah Costagliola showed it on the plan.

Commissioner Kern said, We'd like to change the mowing from every three years to two.

Ms. O'Hare said, I'll put that "Natural Meadow Area" from every three years to two and also put "Snow disposal prohibited."

Attorney Landolina said, What the Owner is going to do is what's approved on this plan.

Ms. Costagliola said, The Wetlands Plantings signs are on LL-1 at the top of the page.

Ms. O'Hare said, Shrubs are in the Conditions of Approval, and I'd have them at a minimum of 3 feet at the time of planting.

Ms. Costagliola said, O.K.

Ms. O'Hare said, I want to discuss my Condition of Approval #7 as to how this is going to work. Groundwater level is at 238 feet, taken in August during the governor's Severe Drought. So the groundwater level will be higher. So could you put a new Temporary Sediment Trap at 239 feet—won't it fill up with groundwater?

Mr. Booth said, Erin and I worked on the calculation for the Temporary Sediment Trap to capture runoff. So we set it at 238' and raised it up to 239' to capture inflow. Elevation of the ground surface is 234' to 235'. In this area it's probably graded 242'-243'. So we expect to have finished grade and groundwater there. We're not proposing final detention basins. We're doing it just for temporary dispersion flows during construction.

Commissioner Kern said, The 238' was the highest elevation of all the borings.

Ms. O'Hare said, Mr. Simko, the Wetlands Scientist, handed in a letter regarding the iron-oxidizing bacteria.

Chair Vitali called for a Motion on Significant Activity.

**MS. PHILLIPS: MOTION THAT APPLICATION #A22-12.2 / 1299 SOUTH BROAD STREET – HUTTON STREET 21 LLC (NICHOLAS PLUMMER) – (CARWASH FACILITY) BE DEEMED NOT A SIGNIFICANT IMPACT ACTIVITY.**

**MR. CARUSO: SECOND.**

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

**MS. PHILLIPS: MOTION THAT APPLICATION #A22-12.2 / 1299 SOUTH ORCHARD STREET – HUTTON STREET 21 LLC (NICHOLAS PLUMMER) – (CARWASH FACILITY) BE APPROVED WITH THE CONDITIONS IN THE ENVIRONMENTAL PLANNER'S REPORT OF 3/1/23, WITH THE ADDITION AT THE END OF CONDITION #1 THAT "THE MEADOW AREA IS TO BE MOWED ONCE EVERY TWO YEARS" AND "SNOW DISPOSAL IS PROHIBITED THERE"; AND WITH THE CHANGE IN CONDITION #7 TO ADD AFTER "SUFFICIENTLY ABOVE GROUNDWATER LEVEL IN THE FIELD" THE WORDS "AS DETERMINED BY THE ENGINEER", AND TO ADD CONDITION #9 REGARDING THE PLANTING HEIGHT OF SHRUBS.**

**The Conditions are:**

**1. Submit a further Revised 'Restoration/Enhancement Planting Plan' that meets the request for a Restoration planting plan as laid out in the Feb. 22 memo, quoted again here: *Submit a Restora-***

**tion/Enhancement Planting Plan that augments and extends the latest planting proposal in the Upland Review Area to wrap around the southern area and includes the entire URA as a restoration/enhancement. Depict on LL-1 and add plant species to chart. Planting Plan to be provided with species, placement, and size indicated. Plant materials to be all native species and heights to be a minimum of 3 feet for shrub species and 5 feet for tree species. Substitutions are allowed but must be native species. Diversity of species is requested – please augment your current plan to add diversity and area as follows.**

- Suggested species to add to upper zone: Shad/Serviceberry (native tree form), Highbush Blueberry (*Vaccinium corymbosum*), Chokeberry (*Aronia arbutifolia*), Northern Bayberry (*Myrica pennsylvanica*)
- Suggested species to add to lower zone by wetlands: Grey-stemmed dogwood (native shrub form), *Salix* spp. (willows), American Elm (native tree), Sweet Pepperbush (*Clethra alnifolia*, large native shrub – in addition to the smaller garden type “Hummingbird” one identified on plan), Elderberry *Sambucus canadensis*.

A revised Planting Plan was submitted (2/24/23) which partially satisfied this condition. That plan is to be modified to eliminate “Goat willow” and those proposed trees must be replaced by black gum or swamp white oaks, and to add ten more shrubs of a mix from above native species listing of shrubs.

The meadow area is to be mowed once every two years, and snow disposal is prohibited there.

**2. Restoration/Enhancement Planting Plan for the Upland Review Area to be installed at close of Construction Phase, and not to be postponed for later time, i.e., if construction ends in fall, plant before November 1 of that year or following spring and do not install in summertime for best outcome.**

**3. Restoration/Enhancement Planting Plan for the Upland Review Area to be inspected monthly during the growing season by a qualified professional for health of installed plantings and for presence of colonizing by invasive plant species, and, if found, those invasive plants are to be removed by mechanical means (not chemical means) so as to not damage the native plantings.**

**4. Any buried material or buried items identified/encountered during the demolition or construction process are to be removed offsite and replaced as needed with clean fill material.**

**5. Erosion control measures are installed and are then approved by the Environmental Planner (203-294-2093) prior to the commencement of demolition activities prior to any further activities commencing on the Wallingford portion of the site. Site inspections to be conducted by Environmental Planner are to be scheduled in advance.**

**6. Environmental Planner to conduct periodic site investigation for potential issues, as listed below, with Permittee to be so notified. Any issues are to be immediately remedied by Permittee:**

- Steep slope above wetlands to be inspected for erosion issues and issues to be remediated as soon as possible as may be necessary – during construction and for a three-year period post-construction.
- Wetland Restoration Plantings be inspected for health and longevity a period of three years (defined as 3 growing seasons after installation) and possible incursion by invasive plant species for a period of three years with installed plants to be replaced as may be necessary and invasive plants to be removed by mechanical means (not chemical means).
- Occurrence, fluctuations, and extent of the iron-oxidizing bacteria in the wetlands.

7. The bottom of the Temporary Sediment Trap to be constructed at an elevation sufficiently above groundwater level in the field, as determined by the engineer, as may be necessary, and a stone check dam (20'L x 15'W x 2'H) to be installed in the southwest low-point of the property against the silt fencing for added protection of downgradient wetlands and added filtration of construction flows during storms.

8. Bond (\$30,000) to be posted prior to commencement of any activity to cover performance with regard to the Erosion Control Plan and Restoration Planting Plan materials and installation.

9. Shrubs are to be planted at a minimum height of three feet at the time of planting.

**MR. NECIO: SECOND.**

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

**G. NEW BUSINESS – None.**

**K. VIOLATIONS**

Note: Items 3 and 4 below were recognized as having been dealt with at the February Meeting, so these are not part of the agenda tonight.

- 3. Notice of Violation – South Turnpike Road – South Turnpike II, LLC – (deposition of pallet mulch) – staff update
- 4. Notice of Violation – South Turnpike Road – Karl Kieslich, Little K's Landscaping, LLC, - (deposition of pallet mulch)

1. Notice of Violation Remains – 1245 Old Colony Road & Quinnipiac River – Jerzy Pytel – (unpermitted clearing & filling near river) – Not discussed

2. 340 & 346 Quinnipiac Street – Southern CT Pallets – (possible violation) – Not discussed.

5. Notice of Violation – 67 Schoolhouse Road – Michelle Millican & Michael Gerace – (forest removal and filling of wetlands and Upland Review Area)

6. Notice of Violation – 67 Schoolhouse Road – Karl Kieslich, Little K's Landscaping, LLC, contractor – (forest removal and filling of wetlands and Upland Review Area)

7. Notice of Violation – 69 Schoolhouse Road – Matthew Luis – (forest removal and filling of wetlands and Upland Review Area)

8. 69 Schoolhouse Road – Karl Kieslich, Little K's Landscaping, LLC, contractor – (deposition in Upland Review Area)

As to #5 at 67 Schoolhouse Road, appearing were Ms. Michelle Gerace and Mr. Michael Gerace.

As to #7 at 69 Schoolhouse Road, appearing were Mr. Matthew Luis and Ms. Gabrielle Verrelli.

Joining them for #5 and #7 was Ms. Sigrun Gadwa of Carya Environmental Services.

Chair Vitali asked Ms.O'Hare for her opinion on whether the fill should be removed.

Ms. O'Hare said, I always felt it should be removed.

Chair Vitali asked, Do the Commissioners want the fill to stay or to be removed? I have always felt it should be removed.

Mr. Luis, 69 Schoolhouse Road, said, We appreciate what you're doing. But, as a homeowner, I got mixed signals. You said to come back with a line on our property. We came back, and you say now we have to take it out. It's really frustrating for us with all the work we've put into it. It all started with mis-

Information. I have less on my property, so I went and got quotes to remove it. I got quotes for \$3,000. They told me, "It's easier for you if you just bury it." It's labor-intensive for them to take it out, separate the dirt, and crush the brick. I didn't have any removed yet because of the cost, and conditions did not allow. They dropped it off, and I thought I could use it. I've been coming every meeting and doing my due diligence.

Commissioner McKeen said, But did you read your deed? It said "conservation easement". Ms. O'Hare told me today the whole neighborhood has this easement.

Mr. Gerace, 67 Schoolhouse Road, said, That's why I called Ms. O'Hare in the first place.

Mrs. Gerace said, We don't have a complete deed.

Mr. Gerace said, I contacted Erin, and she brought us into the Engineering Office and showed us the original (reference: deed).

Ms. Gadwa said, The bricks could be moved back toward the house to make a more gradual slope, without their being taken off the property. There's a good upland on #69, Matt's property. He could dig a big hole, sell the soil, and fill it with the bricks. It could be put into the relic wetland near the house, which is deprived of groundwater. There's a 40-foot zone that doesn't have the hydrology. They're willing to do a restoration in the lower area.

Commissioner Kern said, We have to follow the rules and regulations of Inland Wetlands that we've had for 30 or 40 years, so I've changed my mind. You've filled in the wetlands, and it needs to come out. I'd go back to the guy that put them there. Wood chips draw bugs and they stink when they decay.

Mrs. Gerace said, Can we remove a part of it?

Commissioner McKeen said, Make it like it was before.

Chair Vitali said, Let's take a poll, to leave it or take it out.

Commissioners Kern, Phillips, Necio and Vitali said to take it out.

Commissioner Caruso said that it should stay.

Mr. Gerace asked, Do you want to put a condition to have the contractor remove it? What's the timeline?

Chair Vitali said, You can use anyone you want. The contractor is/is not part of this?

Ms. O'Hare said, He's in violation on both those properties.

Chair Vitali said, Why did you give him the violation?

Ms. O'Hare said, The Wetlands Act allows to go after the property owner or the contractor as violator, or both.

Mr. Luis said, So mine, I guess I don't necessarily have to take it out of my property. I have 50 feet that's not Upland Review Area.

Ms. O'Hare asked, As far as 69 Schoolhouse Road, could he take his bricks out and put them in his Upland Review Area?

Chair Vitali said, If you're going to use that Upland Review Area, you'll have to come back to us.

Commissioner Kern said, Gone—I don't want them on the Upland Review or the wetland area. I'd give him at least six months, bringing it into the dry season.

Ms. O'Hare said, I wanted this clarified. I would like a vote on each property.

As to Violation #5:

**MS. PHILLIPS: MOTION TO RESOLVE THE NOTICE OF VIOLATION #5 ON 67 SCHOOLHOUSE ROAD: MICHELLE MILLICAN & MICHAEL GERACE TO REMOVE ALL THE MATERIAL IN THE WETLANDS WITHIN A SIX-MONTH TIME FRAME.**

**MR. NECIO: SECOND.**

**VOTE: MR. NECIO – YES; MR. CARUSO – NO; MR. KERN – YES; MS. PHILLIPS – YES; CHAIR VITALI – YES.**

As to Violation #7:

**MS. PHILLIPS: MOTION TO RESOLVE THE NOTICE OF VIOLATION #7 ON 69 SCHOOLHOUSE ROAD : MATTHEW LUIS TO REMOVE ALL THE MATERIAL IN THE WETLAND WITHIN A SIX-MONTH PERIOD.**

**MR. CARUSO: SECOND.**

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

Ms. O'Hare asked whether there would be another Motion involving Little K's violations #6 and #8. Ms. O'Hare was directed by the Chairman to speak with the Law Department.

**MS. PHILLIPS: MOTION THAT THE NOTICES OF VIOLATION REMAIN ON VIOLATIONS #1 AND #2 AND ALSO ON #5, #6, #7, AND #8 ON OUR AGENDA.**

**MR. NECIO: SECOND.**

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

#### **H. RECEIPT OF NEW APPLICATIONS**

- 1. #A23-2.1 / 856 North Main Street Extension – Advanced Turbine Services, LLC – (building addition, drive, outside storage area)**
- 2. #A23-2.2 / 86 Barnes Road – 950 North Main Street Wallingford, LLC – (commercial development – storage unit facility)**

Chair Vitali acknowledged the above two Applications to be received, and these will appear on the April 5<sup>th</sup> agenda. Further, Chair Vitali stated that the Applicants for #1 and #2 above need to contact Ms. O'Hare in order to have all issues resolved and paperwork submitted before the April Meeting.

#### **J. REPORTS & COMMUNICATIONS**

**1. Discussion of proposal to adopt fines for violations – Not discussed.**

**2. Farm Hill Road Detention Basin – status**

Ms. O'Hare said she has been directed to have the four abutting property owners remove the rocks in

the basin's dam so it can drain as it was designed to do originally. She suggested in August, when there may be a drought to make the work easier.

Chair Vitali said it has to be pumped out.

3. **CT Bar Association, 'CT Land Use Law For Municipal Land Use Agencies, Boards, and Commissions', VIRTUAL Seminar, Sat., March 11, 2023, 9 a.m.-4:30 p.m.-** Register online
4. **CT Association of Wetlands Scientists (CAWS) – Conference, Mar. 9, 2023, 8:30 a.m.-4:00 p.m., Berlin, CT –** (register online – fee reimbursable)
5. **Staff Report – miscellaneous –** Not discussed.

#### **I. ELECTIONS**

**MS. MCKEEN: MOTION TO CAST A SINGLE BALLOT TO KEEP THE CURRENT OFFICERS AS CHAIR, VICE CHAIR, AND SECRETARY.**

**MR. KERN: SECOND.**

**VOTE: APPROVED UNANIMOUSLY.**

#### **L. ADJOURNMENT**

**MS. PHILLIPS: MOTION TO ADJOURN THE MEETING.**

**MR. NECIO: SECOND.**

**VOTE: APPROVED UNANIMOUSLY.**

The Meeting was adjourned at 10:23 p.m.

Respectfully submitted,

Kathleen L. Burns  
Recording Secretary

**M. NEXT SCHEDULED REGULAR MEETING: April 5, 2023**