

**CHESHIRE INLAND WETLANDS AND WATERCOURSES COMMISSION
REGULAR MEETING
TUESDAY, JANUARY 17, 2017
TOWN HALL 84 SOUTH MAIN STREET
COUNCIL CHAMBERS AT 7:30 P.M.**

Members present: Robert de Jongh, Charles Dimmick, Dave Brzozowski, Kerrie Dunne, Will McPhee and Thom Norback.

Members Absent: Earl Kurtz.

Staff: Suzanne Simone.

I. CALL TO ORDER

Chairman de Jongh called the meeting to order at 7:30 pm.

II. PLEDGE OF ALLEGIANCE

All present recited the pledge of allegiance.

III. ROLL CALL

Members in attendance were Robert de Jongh, Charles Dimmick, Dave Brzozowski, Kerrie Dunne, Will McPhee and Thom Norback.

IV. DETERMINATION OF QUORUM

There were enough members present for a quorum.

V. ELECTION OF OFFICERS

Chairman de Jongh opened up the nominations:

Dr. Dimmick nominated Robert de Jongh as chairman of the commission. Ms. Dunne seconded the nomination. All present approved by unanimous consent the nomination of Robert de Jongh as chairman.

Chairman de Jongh nominated Charles Dimmick as the vice-chairman. Mr. McPhee seconded the nomination. All present approved by unanimous consent the nomination of Charles Dimmick as vice-chairman.

Chairman de Jongh nominated Kerrie Dunne as secretary. Mr. McPhee seconded the nomination. All present approved by unanimous consent the nomination of Kerrie Dunne as secretary.

Chairman de Jongh closes the nominations. All nominations were approved by unanimous consent.

VI. APPROVAL OF MINUTES

Regular Meeting – December 6, 2016
Special Meeting – December 19, 2016
Regular Meeting – January 3, 2017

Motion: To approve the minutes of the Regular Meeting of December 6, 2016; Special Meeting of December 19, 2016 and Regular Meeting of January 3, 2017 meetings with corrections:

Regular Meeting – December 6, 2016: Pg. 1 L35 “a permit” to “permit transfer request”; pg. 4 L15 “permit” transfer” delete “request”; pg. 23 L7 “always” to “always used”.

Special Meeting – December 19, 2016: pg. 5 L36 “defying” to “defining”; pg. 9 L28 “will” to “willing”; pg. 10 L20 “what” to “what was”; pg. 11 L26 “sorting” to “sort”; pg. 14 L12 or” to “of”; pg. 14 L43 “now” to “not”; pg. 15 L47 “done” to “down”; pg. 17 L5 ‘stablished” to “established”, L33 “he” to “the”, L34 “medication” to “modification”.

Regular Meeting – January 3, 2017:: pg. 3 L33 “fell” to “feel”, L37 “cobblers” to “cobble”; pg. 6 L12 “weren’t” to “we are”, L24 “propone” to “prone”, L39 “since” to “sense”; pg. 7 L9 “brining” to “bringing”; pg. 11 L6 “obliviously” to “obviously”.

Moved by Mr. Norback. Seconded by Mr. Brzozowski. Motion approved unanimously by Commission members present.

VII. COMMUNICATIONS

Ms. Simone reviewed the following communications:

1. DEEP Notification Re: Permit for Diversion of Water for Consumptive Use

This communication was reviewed. Ms. Simone stated that DEEP notification was received for a permit for diversion of water for consumptive use; this is an agreement between regional Water

Authority and the Southington Water Company and they indicate there are no wetlands or watercourses impacted with this permit.

2. **Staff Communication w/Attachments Re: IWWC App. 2016-033, VCA Animal Hospital, South Main Street**

This communication was reviewed. Ms. Simone stated this item would be covered under unfinished business.

3. **Report from the Engineering Department**

VIII. INSPECTION REPORTS

1. **Written Inspections**

Ms. Simone stated there were no written inspections.

2. **Staff Inspections**

- a. **West Johnson Avenue**

Ms. Simone reported there was a staff inspection of West Johnson Avenue at Peck Lane at the Carmody property; she explained she did meet with Mr. Carmody to look at the property he is clearing.

Ms. Simone explained he has agricultural use across the street and he is clearing the area where there's a blue house; he's clearing that area for expansion of fields and according to the wetlands map he has not cleared within the wetlands area and in conversation with him he indicates that he doesn't plan to clear within that wetland area.

Ms. Simone stated under the regulations that (activity) is a matter of right and does not need to come before the Commission.

- b. **1430 Cheshire Street**

Ms. Simone reported that there was an inspection of 1430 Cheshire Street; this is the site for the daycare – they've started the site work and have ongoing erosion control inspections.

- c. **Mountain Road Property**

Ms. Simone reported there was a staff inspection of the Mountain Road property and in addition they received a communication today from Ryan McEvoy for his erosion control inspection.

Dr. Dimmick added that at the meeting the Commission was provided with Engineering Department comments for the application of VCA Animal Hospital.

IX. ENFORCEMENT ACTIONS

1. Notice of Violation/Cease and Desist Order SC 12/06/16
House 2 Home Construction, c/o Mr. Edward Barnett
Unauthorized Activities in a Regulated Wetland Area
509 Mountain Road
Assessor's Map 62, Lot 4

Chairman de Jongh stated this item would remain on the agenda for continued monitoring purposes.

Ms. Simone stated the modified cease and desist order according to what was done at the last meeting is being drafted and Dr. Dimmick will review it to make sure she addressed everything correctly and then that would be sent out to Mr. Barnett.

X. UNFINISHED BUSINESS

1. Permit Application APP 2016-033
Charles Nicholls/VCA Animal Hospital DOR 10/18/16
1572 South Main Street
Site Plan – Parking Improvements MAD 2/20/17

Matt Ducsay, PE of Milone and MacBroom in Cheshire, CT was present on behalf of the applicant.

Mr. Ducsay explained the last time they met and he thought it was in November 2016 we had talked about the property and he said he thought it had come to light at that time that there were some unauthorized activities that had occurred in the north east portion of the property mainly the construction of the gravel prior to receiving the necessary regulatory permits; at that time it was the recommendation of the Commission that a soil scientist from Milone and MacBroom to go out to the site to evaluate the area and the associated area to make a determination as to whether or not the E&S controls that were in place were adequate as well as to

determine any erosion had occurred which would affect the upland review area and the wetlands themselves.

Mr. Ducsay said he wanted to go through the revisions that were made to the plan then they can talk a little bit about Mr. Root's report that should be included with their revised packets.

Mr. Ducsay said since the last meeting the said since the last meeting they've made a number of revisions to the plans and an improvement to the plan (according to Mr. Ducsay).

Mr. Ducsay said most notably there was a removal of 13 parking spaces in the front westerly parking lot area (as shown on the plan); the reason for that change was to facilitate the saving of a large Maple tree which exists – the previous plan had the parking very close to that tree and it was unlikely the tree would have been able to be saved so they removed 13 parking spaces from the front parking area; they denoted a number of parking spaces on the southeast side of the site to remain; he said he didn't know if any Commission members had the chance to go out and see the site but if they did they'd see the gravel parking area in back where there are 6 parking spaces – they are planning to save 4 of them and retain 3 adjacent to the building; at one point they proposed fences in exercise yards but with the difficulty getting those approved through P&Z those have been removed and the existing parking that's currently there will remain.

Mr. Ducsay said besides that they've removed a number of the light fixtures – recognizing that's not the purview of this Commission – but they did remove a number of the pole fixtures around the site per the client's request.

Mr. Ducsay explained that they have also done is narrowed down the access drive – they've created a 20' width to connect the two lots from back to front - that's the width of the existing drive with some minor strip improvements – so before we were depicting a 24' drive but that measuring to the building – they are proposing some lane stripping to occur where the overhang of the building is; he explained that some of the asphalt is not usable as a full travel way because of the overhang of the building.

Mr. Ducsay said there are some additional landscape buffering shown on the plan and other plantings proposed near the propone tanks as well as White Pines in an area where seedlings and other

vegetation had been cleared to establish the gravel parking previously spoken about.

Mr. Ducsay said that summarizes the changes to the plans.

Mr. Ducsay said he wanted to point out Bill Root's report dated November 21, 2016. He said Mr. Root looked at what was discussed (by the Commission) but also in terms of the gravel parking area and the disturbance remaining from the installation of the septic repair that was done this past summer; based on the report Mr. Root concluded that the S&E controls put in place after the septic repair were still in good standing.

Mr. Ducsay stated he went out to the site today given the report was dated November 2016 to ensure that is still the case and the silt fence is in place and appears to be in good standing; Mr. Root also looked at the upland review area and associated wetlands and concluded there was no erosion that made its way from the septic repair area or the gravel lot area into the environmentally sensitive area.

Mr. Ducsay said that concludes the new information and Bill Root's findings; he was available to answer any questions.

Chairman de Jongh said he thought the concerns of the Commission have been addressed by Mr. Root's report and by Mr. Ducsay's presentation.

Mr. Norback said that Mr. Kurtz was concerned about the demolition prior to the permitting and was that was the inspection report was relative to.

Mr. Ducsay said he thought Mr. Kurtz's question was relative to a demolition permit.

Mr. Norback said he thought it was the sequence – he said he thought that is what predicated the request to have Milone and MacBroom's soil scientist out there to make sure there wasn't any erosion caused by that (activity); he said he knew Mr. Kurtz had concerns early on about the demolition; but that seems to be addressed with the erosion report

Mr. Ducsay said Bill did look at the uplands and wetlands and concluded that no soil had eroded into the area as a result of any of the activity that had occurred including the (demolition).

Motion: To declare the proposed activity not significant with the context of the regulations.

Moved by Dr. Dimmick. Seconded by Mr. Norback. Motion approved unanimously by Commission members present.

Chairman de Jongh said we'll allow staff to draft wording for the next meeting.

XI. NEW BUSINESS

There were no new business items.

XII. ADJOURNMENT

The meeting was adjourned at 7:44 pm by consensus of Commission members present.

Respectfully submitted:

**Carla Mills
Recording Secretary
Cheshire Inland Wetland and Watercourse Commission**