

**CHESHIRE INLAND WETLANDS AND WATERCOURSES COMMISSION
REGULAR MEETING
TUESDAY, DECEMBER 5, 2017
TOWN HALL 84 SOUTH MAIN STREET
ROOM 207/209 AT 7:30 P.M.**

Members present: Robert de Jongh, Charles Dimmick, Earl Kurtz, Kerrie Dunne and Thom Norback.

Member not present: Will McPhee and Dave Brzozowski.

Staff: Suzanne Simone.

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

The pledge of allegiance was recited.

III. ROLL CALL

Ms. Dunne called the roll.

Members present were Robert de Jongh, Charles Dimmick, Earl Kurtz, Kerrie Dunne and Thom Norback.

IV. DETERMINATION OF QUORUM

Chairman de Jongh determined there were enough members present for a quorum.

V. APPROVAL OF MINUTES Regular Meeting – November 8, 2017

Chairman de Jongh called for a motion to approve the regular meeting minutes from the November 8, 2017 meeting with the following corrections:

Pg. 2 L42 after “continuing” add “to”; pg. 3 L36 after “storm” add “detention”); pg. 4 L26 “since” to “sense”, L46-47 “their” to “they’re” and “sight” to “site”; pg. 7 L7 “explained” to “expanded”.

Moved by Mr. Kurtz. Seconded by Ms. Dunne. Motion approved unanimously by Commission members present.

VI. APPROVAL OF 2018 MEETING DATES

Chairman de Jongh said included in tonight's packet was a summary of the proposed meeting dates for 2018.

Chairman de Jongh said the only recommendation is to move the November 6, 2018 (election night) to Thursday, November 8, 2018.

Motion: To accept the 2018 meeting dates with the following amendment - move the November 6, 2018 (election night) to Thursday, November 8, 2018.

Moved by Ms. Dunne. Seconded by Mr. Kurtz. Motion approved unanimously by Commission members present.

VII. COMMUNICATIONS

Ms. Simone reviewed the following communications:

1. Request for Determination by Cheshire Medical Associates, LLC for properties at 254, 266, 292 and 312 South Main Street

This communication was reviewed.

2. Staff Communication Re: Request for Determination, Cheshire Medical Associates, LLC, Site Plan, Office Building, South Main Street

This communication was reviewed.

3. Request for bond release by Jeffrey Norwood for 228 Old Lane Road

This communication was reviewed. Ms. Simone stated this item in under new business on tonight's agenda.

4. Staff Communication Re: Request for Determination by CL&P d/b/a Eversource Energy for 705 West Johnson Avenue, Site Plan

This communication was reviewed.

5. Engineering Comments Re: Eversource Energy, 705 West Johnson Ave.

This communication was reviewed.

Items handed out at meeting:

6. The Habitat CACIWC Newsletter, Fall 2017, volume 29, number 4
(To be handed out at meeting)

This communication was reviewed.

7. Maintenance notification for work within a waterway

This communication was reviewed.

8. Engineering Department Comments Re: Cheshire Medical Associates, LLC office building

This communication was reviewed.

9. Written response from the Attorney representing Cheshire Medical Associates, LLC office building

This communication was reviewed.

VIII. INSPECTION REPORTS

1. Written Inspections

Ms. Simone stated there were no written inspections.

2. Staff Inspections

- a. Cheshire Academy

Ms. Simone stated there were continued inspections of Academy Road for Cheshire Academy project. She reported there have not been any issues and everything has been secured and stabilized onsite.

- b. Canoe Launch

Ms. Simone explained she did inspect the canoe launch just out of curiosity after the last couple rain storms we've had; it's still intact and there are no problems.

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.

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| 2. | Notice of Violation/Cease and Desist Order | SC | 5/16/17 |
| | Unauthorized Activities in Upland Review Area | SC | 6/06/17 |
| | Luis Rivera and Joanna Kozak | SC | 6/20/17 |
| | 1392 Cheshire Street | SC | 7/05/17 |
| | Assessor's Map 30, Lot 17 | SC | 7/18/17 |
| | | SC | 8/01/17 |
| | | SC | 9/05/17 |

Chairman de Jongh stated this item is on the agenda for continued monitoring to make sure the plantings survive.

X. UNFINISHED BUSINESS

Ms. Simone stated there was no unfinished business.

XI. NEW BUSINESS

- | | | | |
|----|---|-----|----------|
| 1. | Request for Determination | RFD | 2017-019 |
| | Cheshire Medical Associates, LLC | | |
| | 254, 266, 292 and 312 South Main Street | | |
| | Site Plan | | |

Attorney Anthony Fazzone of Fazzone Ryan Ricciuti LLC was present on behalf of the applicant.

Phil Doyle of LADA, P.C. Land Planners, Kevin Clark, PE of Clark Engineering and Kate Bednaz, soil scientist of Freshwater Wetland Services were also present on behalf of the applicant.

Attorney Fazzone addressed the Commission.

Attorney Fazzone said if the Commission recalled, this was before them about a month or so ago for a request for determination and at that time it was determined that they did not need to file an application.

Attorney Fazzone reviewed the location of the subject property and adjacent properties formerly known as the old Huxley Motors site, the Cheshire Movie Theatre and including an easement on to the rear of the Dunkin Donuts to improve the plunge pool and to utilize the plunge pool.

Attorney Fazzone explained when Cheshire Medical started out they approached 7-11 in terms of wanting an easement in back of their property; it has something to do with the town's wish list that at some point down the road there might be a bypass road from Lanyon Drive up to Old Town Road.

Attorney Fazzone said at the time 7-11 wasn't interested and after the first phase of the P&Z public hearing that took place over a month and a half ago 7-11 contacted our clients and told them they (7-11) wanted to sell the whole property and they made a deal to buy the property.

Attorney Fazzone stated that's why we're here tonight – the 7-11 building will be demolished to add parking and with the parking there's additional runoff that will ultimately reach in some form or another the Dunkin Donuts property.

Attorney Fazzone reminded the Commission that to build the plunge pool (near the Dunkin Donuts property) there was a disturbance of about 600 SF of upland review area.

Attorney Fazzone said Phil Doyle is here tonight to show the Commission the site plan; Kevin Clark is the engineering who did the calculations and site engineering and Kate Bednaz is the soil scientist who looked at the various properties and determined the location of the wetlands.

Attorney Fazzone said he has the original letter that he submitted saying that they were in agreement with the town engineer's comments and that we would see that gets in place with the Planning and Zoning process; the plans will be revised for Planning and Zoning and they'll make a notation on the plans about the annual cleaning of the detention facilities.

Phil Doyle of LADA addressed the Commission.

The plans were reviewed with Commission members.

Mr. Doyle said when they were here a month or so ago for the original determination – they had been looking a one plan showing the Dunkin Donut piece to the south and the 7-11 piece to the north.

Mr. Doyle said there's a wetland area that shows on the plans and is identified on the Calcagni piece and a small section 25 SF extends on to the condominium property – that's where all the water from the site tends to drain; it kind of flows along the back of the property.

Mr. Doyle explained when they were on the property over time – walking through the site; we realized the discharge comes out of the Dunkin Donuts plunge pool- it's an eroded channel and their suggestion was they should take a look fixing that.

Mr. Doyle said the town engineer Walter Gancarz said rather than just discharging to the property line why not try to work out an arrangement with the owner of Dunkin Donuts and get it all organized as one drainage system – that's what we did and that's

what we show on the plan and what they presented to the town engineering department.

Mr. Doyle said the plan had been to have the parking surrounding the building and underneath the building they had interior parking and that was with the understanding they would never purchase or have any other additional property.

Mr. Doyle said as Attorney Fazzino had said early on in the process when they first met with Jerry Sitko and Bill Voelker of the town – they had plotted out a plan that showed master plan of the driveway and some kind of connection for all the properties of this area to take pressure off of Route 10 to go from Lanyon Drive up through the parking lots up to Old Town.

Mr. Doyle said the underlying developers here at one point talk to the 7-11 people to see about getting some kind of access through in case the town ever wanted to do that – and that was the contact originally made and surprisingly they came back with this offer to sell; the question we had amongst ourselves and also to town staff – was do we withdraw the application and formulate a new application or go through and complete the application or come in with a brand new application or try to make the change mid-stream – so we were advised if we could get everything together to try to make the change mid-stream so that's what we're trying to do.

Mr. Norback said he vaguely remembered that some of the runoff from 7-11 site on its own before the potential purchase was already considered in the original plan.

Mr. Doyle said that Kevin can talk about that – he said the old funeral home and 7-11 all come in this direction (shown on the plan) – he said they weren't changing pavement there – it just was what it was and the funeral home is entirely paved and comes along the 7-11 site (shown on the plan).

Mr. Doyle said they had the surveyor go out and the funeral (former) paving extends considerably on to this property – all the water flows to the back.

Mr. Doyle said they put a plan together now where we're going to take the 7-11 site and we're going to add the parking and we're going to take some of the parking out from under the building.

Mr. Doyle explained one of the program uses for the building is radiology and they have equipment that's pretty heavy and they want that on the first or lower floor – it had been slated to be on an upper floor – this is actually a change that helps us because it allows us to have the radiology on a lower floor and then have the parking above.

Mr. Doyle said another benefit that's not a wetland benefit is that when you have a piece of property like this you are trying to do access management – you don't want a lot of driveways on to South Main Street – Route 10.

Mr. Doyle said they talked to DOT and DOT was agreeable to a right turn out of the site so overall it makes for a better site plan.

Mr. Doyle said all of the water on the site still drains to the bottom of the property and roof water is at DOT's suggestion connected out to the DOT drainage system in the street.

Mr. Doyle said the site plan has the change to this degree (as explained and shown on the plan); Kevin Clark out PE has gone through and has done a thorough drainage analysis so the issue really for all of us is what impact are we causing downstream – is there any impact to the offsite wetland areas – the upland review area (shown on the plan) is where they have the plunge pool and where the pipe would discharge from their system as it was before and we are stabilizing the channel from Donkin Donuts.

Mr. Doyle stated this site is much further removed and remote from the inland wetland but still the drainage all gets there – he said he thought Kevin could better explain the drainage and Katie, who they asked to come back and walk the property again – she's the soil scientist and gives us all of our environmental suggestions – she can tell you what her conclusion are.

Mr. Doyle said one of the things they did that was not on the original plan was they went back again – there are a lot of invasives back there – he suggested when doing that work we plant some High Bush Blueberry and Kentucky Aster just to add some habitat planting in this area because there's really nothing there.

Mr. Norback asked if they were taking the invasives out.

Mr. Doyle stated yes – they're going to get that stuff out of there.

Kevin Clark, PE of Clark Engineering with an office in New London, CT addressed the Commission.

Mr. Clark said as Phil mentioned basically what happens right now is the storm water from these sites basically up to the boundary of the northerly line (the location of the bridal shop) - there's like a bridge so the water from the parcel uphill of that and down through – anywhere from there down flows in this direction (shown on the plan) and at some point you get a little bit of a split but eventually it all ends up into the wetlands; it was paved – the 7-11 site was paved; the bridal shop building has been paved so this water is running off – there's no detention and no storm water treatment so it's just basically going in this direction (shown on the plan).

Mr. Clark said what they did originally they proposed a storm water management system which consisted of catch basins and a storm water detention system and also after discussions with the adjacent owner we designed a plunge pool and rip rap lining for an area where the drainage is coming off the site is eroding the slope so that was part of the original plan – that plunge pool was sized to handle a 100 year storm event; typically its sized for a 25 year storm event.

Mr. Clark talked about the development of the drainage system - it's an underground concrete chamber system – shown on the plan; he said it's basically a manhole and in the middle of the manhole the approximate width is a wall and you have openings designed to meter out the flow – if there's a huge storm it will spill out of the top of this structure inside of the structure and go out to the pipe.

Mr. Clark said what they did at the suggestion of the town engineer was when the 7-11 site was added to this project it was his request that we keep the storm water management separate on that site as far as treatment and detention goes and then connect it into our site so its treated as a separate entity so we had a separate storm water detention system there – he talked about the plastic material units used for the system.

Mr. Clark stated it's designed to detain and continue the peak flow coming off the site; both of these systems have a hydrodynamic separator upstream of the system; used to remove sediment from the storm water.

Mr. Norback asked if those plastic boxes containing it or are they move like an infiltrator where they allow it to go for some percolation.

Mr. Clark stated no and the reason why is that we did test falls and there's bedrock – so there's no possibility for percolation; there's stone there to support the structure.

Dr. Dimmick asked how difficult it was to clean out and maintain these.

Mr. Clark stated the hydrodynamic separators are cleaned out just like a storm water catch basin and because of that you have much less possibility of sediment getting into the structures however they do provide cleanouts for each of the rows – there's a series of 7 rows and each well will have a clean out.

Mr. Clark talked about the how the system works explaining it pulls out the sediment out of the storm water and then goes into the system – it's a pretty big system – most anything that gets past it will settle out – there won't be very much left and at that point it will go out through the outlet structures.

Mr. Norback asked about the clean out – pumping schedule – he said he'd imagine its site specific – it's sort of live and learn how often it needs to be cleaned out depending on what kind of sediment (is in there).

Mr. Doyle stated we have a clean out schedule on the plan.

Mr. Clark explained that the manufacture has a recommended pump out schedule and what they tell you is for the first couple years you inspect it and when the sediment reaches a certain level then you pump it out.

The plans show the clean out schedule; the whole process is spelled out.

Mr. Clark stated the site maintenance is also on the plan – they like to have it as part of the plans that get approved so there is never any question of what is supposed to get done; and any other items clean out that's necessary is on the plans.

Chairman de Jongh said they appreciate that.

Mr. Clark explained that as he described there is no pipe outlet here – typically all they are responsible for is to make sure that the peak flow coming off this site after construction is not greater but after a discussion with the client they have actually reduced the peak flows by anywhere from 50% up to 60% - by over detaining the water what we are doing is we're providing additional protection to the downstream owners and the downstream wetland and again the outlet basin is sized for the 100 year storm – so even if you get some monstrous storm that part will be stabilized.

Chairman de Jongh said for the record – the existing 7-11 property is already paved – and calculations were included in that – even with the removal of the building which is obvious not blacktop – we're talking about a decrease of the runoff once its finished of 50% to 60%.

Mr. Clark stated that's correct.

Mr. Clark said one of the reasons why we're able to get those numbers with systems this size it the state has allowed us to bring the roof water directly out to their system.

Dr. Dimmick stated he had all his questions answered at this stage.

Mr. Norback said all his questions were satisfied.

Kate Bednaz, registered soil scientist and wetland scientist of Freshwater Wetland Services addressed the Commission.

Ms. Bednaz addressed the Commission.

Ms. Bednaz showed on the plan the location of the nearest wetlands - and going out to the property initially before the 7-11 property was acquired and made part of this plan was back on April 23.

Ms. Bednaz stated this is a well disturbed site – there are no natural soil profiles – everything else is off of our site so she is looking at things from a far – you can kind of see (on the plans) the wetland area associated with the condominium; she said when walking the area and knowing they'd be doing work near the Dunkin Donut building – the largest concern she had was with the channel that runs off from the current storm management and there's erosion that's happening – she said when she saw Kevin's storm water drainage design and calculations they were pretty much keeping everything as is – it's not reducing the velocity – other than that in terms of our site there really are no other wetland concerns; they want to make sure the erosion controls are place and they don't have anything go downstream during construction but once it is constructed she thought they were improving the site and the drainage conditions.

Dr. Dimmick noted this area was subject to ground fill clean up - he asked if everything was satisfactory.

Mr. Doyle stated Tetra Tech Company of Wethersfield, CT – John Adams, the principal was there – he had reviewed all the documentation that was put together – and the determination that we've gotten is the site is now cleaned and is ready reuse.

Mr. Doyle said we have none the less are required to monitor for a number of years; he said many of the monitoring pipes will have to be disturbed during construction – they will have to install new ones - because we are in an aquifer zone and because of that - and are in a zone like that all the pollutants that might have been in the soils have to be at non-detect – zero levels and they are at a level that they explained to Planning and Zoning that would be appropriate for people to install domestic wells for their houses but they are not non-detect so we are going to have to monitor 5 to 10 to 15 years to get to those non-detectable levels so it's clean and safe.

Dr. Dimmick said you are in a secondary recharge south Cheshire well field.

Chairman de Jongh asked about the town engineering comments about the driveway elevation and about increasing it about 3" – is all the factored into this.

Mr. Doyle stated yes – there’s a spot at the new driveway connection – the town engineer wants to make sure they maintain gutter flow.

Mr. Doyle talked about the plan submission process; he stated they have a Planning and Zoning meeting next Monday and they are updating Planning and Zoning with the final pieces so the 3” detail is on those plans – it started to be on these.

Chairman de Jongh stated he wanted to make sure the record was clear that that recommended change in elevation wasn’t in any way going to have any kind of effect on the calculations that (they are presenting).

Mr. Kurtz asked if they make a determination that an application is not required – basically the work has already been done so if anything’s different it’s an improvement of what’s been done before; do we automatically reference the plans as drawn because of what we’ve seen.

Ms. Simone said the letters she sends out – the official letters from the Commission – she does detail the receipt and stamped dates of the plans that the Commission has in the file.

Motion: Based on the presentation before us and the maps presented to us this evening the Commission has determined that an application is not necessary for revised plans for the site.

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

2. Bond Release Request RFD 2013-006A
Jeffrey Norwood
228 Old Lane Road

Motion:

That the Cheshire Inland Wetlands and Watercourses Commission has considered the request for bond release by Jeffrey Norwood for erosion control bond stipulated as part of CIWWC Permit #2013-006 issued September 11, 2013 and finds the following:

That staff has inspected the area and verifies that all areas are generally stabilized and all conditions of the permit grant have been generally met.

Therefore, the Commission grants the bond release request by the applicant for the erosion control bond.

Moved by Mr. Kurtz. Seconded by Ms. Dunne. Motion approved unanimously by Commission members present.

3. Request for Determination RFD 2017-020
CL&P d/b/a Eversource Energy
705 West Johnson Avenue
Site Plan – Addition

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

Mr. Ducsay addressed the Commission.

The plans were presented before the Commission.

Mr. Ducsay explained this is an existing industrial facility located on West Johnson Avenue; what the applicant is seeking to do is a building extension to the existing service garage which is located on the southern portion of the property – the existing footprint is shown.

Mr. Ducsay said the proposed is located in the southern portion of the property – he showed the location of the service garage - it's a 20 acre property.

Mr. Ducsay said what the applicant is seeking to do is to add an addition to the front – two more service bays to service their vehicles – it's an approximately a 3,000 SF addition – the most approximate wetland resources are located to the east of the project site – he showed on the map the location of the wetlands located on the western portion of the site.

Mr. Ducsay said as you can see from the site plan – the site is fully developed – it's pretty much developed to the limits of the existing wetlands that are there; he should the area of the limit of development.

Mr. Ducsay stated that all of the proposed improvements are relegated within the limits of the current development.

Mr. Ducsay said the nearest wetland which was flagged – is approximately 115' away from the nearest point where the addition is.

Mr. Ducsay showed on the map the location of the paved area on the site and the buildings on site.

Dr. Dimmick commented that this originally did not come before the Wetlands Commission because it was not in existence at the time.

Mr. Ducsay said when he checked there were not a lot of mapping available – he said he imagine looking at the surrounding wetlands that this site included numerous impacts to wetlands.

Mr. Ducsay said these wetlands are part of Judd Brook – a tributary to the Ten Mile River which is not a public supply watershed.

Chairman de Jongh asked what was going to happen with the extension of the service bays with the capture of oil and sediment runoff.

Mr. Ducsay stated there are floor drains; right now the building has a pumped floor drain system connected to an oil water separator; so the new floor drains will be connected to a sanitary sewer which runs out to the south side of the property. He said when this property was actually constructed it was on septic not sanitary sewer – the sanitary sewer came after the building and then was connected.

Chairman de Jongh said he wanted to make sure the record shows that it's being treated.

Motion: That the Wetlands Commission having reviewed the testimony and map concerning the expansion of the building on West Johnson Ave finds that a wetlands permit is not required for the proposed addition.

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

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| 4. | Permit Application | APP | 2017-020 |
| | CL&P d/b/a Eversource Energy | DOR | 12/05/17 |
| | 705 West Johnson Avenue | | |
| | Site Plan – Addition | MAD | 2/08/18 |

Mr. Ducsay requested on behalf of the applicant the withdrawal of the permit application.

5. Other – Question for the Commission

Ms. Simone asked Commission members about the wetlands soil maps that have been digitalized that are out there in the GIS system – she asked if the Commission would like to see attached to staff reports.

Commission members stated yes.

Ms. Simone said she'll work on getting the map ready for distribution to Commission members.

XII. ADJOURNMENT

The meeting was adjourned at 8:13 pm by consensus of Commission members present.

Respectfully submitted:

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