

**CHESHIRE INLAND WETLANDS AND WATERCOURSES COMMISSION
REGULAR MEETING
TUESDAY, JANUARY 16, 2018
TOWN HALL 84 SOUTH MAIN STREET
COUNCIL CHAMBERS AT 7:30 P.M.**

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

Member not present: 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

The pledge of allegiance was recited.

III. ROLL CALL

Ms. Dunne called the roll.

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

V. APPROVAL OF MINUTES Regular Meeting – January 2, 2017

Chairman de Jongh called for a motion to approve the regular meeting minutes from the January 2, 2018.

Motion: To approve the minutes from the January 2, 2018 with corrections: Pg. 4 L46 “sight” to “site”; pg. 5 L6 “could” to “ could get”, L29 “Router 68” to “Route 68”; pg. 6 L16 “in” to “infecting”, L30 “is dry” to “as dry”; Pg. 7 L44 “that” to “with.”

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

VI. COMMUNICATIONS

1. Construction sequence for Kurtz Realty, LLC, Peck Lane, Application #2018-002, Site Plan – Grading

Ms. Simone stated the first communication is a construction sequence requested at the last meeting.

VII. INSPECTION REPORTS

1. Written Inspections

Ms. Simone stated there were no written inspections.

2. Staff Inspections

Ms. Simone stated she received a call on Friday regarding Cedar Crest Subdivision which is off of Jarvis Street; the Commission will recall a permit was issued for this development.

Ms. Simone stated the call was concerning erosion during the heavy downpour we had on Friday.

Ms. Simone said she went to the property on Friday and observed the flow of sediment getting into the road.

Ms. Simone explained the catch basins in the road had silt sacks.

Ms. Simone stated she did contact the developer who went out Friday evening in the rain and installed erosion controls to stop the soil from getting into the road.

Ms. Simone said she thought he (the developer) did the best he could for the conditions because it was a downpour.

Ms. Simone said looking at the site today and observed the sand bags – we're getting snow tomorrow so she's be meeting with the developer soon to talk about long term solutions.

Dr. Dimmick said he should add that someone approached him – a private citizen concerned about that same matter and she somehow felt we should have a staff person permanently stationed there to take care of things.

VIII. 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 is on the agenda for continued monitoring.

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

Chairman de Jongh stated this is on the agenda for continued monitoring. He said he didn't think there have been any changes.

Ms. Simone stated no.

IX. UNFINISHED BUSINESS

- | | | | |
|----|---|-----|----------|
| 1. | Permit Application
Kurtz Realty, LLC
Peck Lane
Site Plan | APP | 2018-002 |
| | | DOR | 01/02/18 |
| | | MAD | 3/08/18 |

Ryan McEvoy, licensed professional engineer with Milone and MacBroom was present on behalf of the application.

Mr. McEvoy addressed the Commission.

Mr. McEvoy stated at the last meeting one question was raised by the Commission regarding the construction sequence specifically as it relates to erosion controls and on the revised sheet 1 of 2 which is the existing conditions plan they have provided a more detailed and broken down sequence in order of which construction can occur on the site as it relates to the earth work operations.

Mr. McEvoy said based on his recollection that was the only outstanding item.

Mr. McEvoy said he'd be happy to answer any questions.

Chairman de Jongh said he thought that was the only question raised.

Motion:

That the Cheshire Inland Wetlands and Watercourses Commission, having considered the factors pursuant to Section 10 of the Inland Wetlands and Watercourses Regulations of the Town of Cheshire, Commissioners' knowledge of the area, site visitations, and after

review of written information provided by the applicant on this application finds the following:

- 1. That the applicant is seeking a permit to regrade the property, providing compensatory floodplain storage.**
- 2. That the site plan includes the location of erosion controls and a construction sequence.**
- 3. That the proposed activities are being conducted in support of future expansion of agricultural use.**
- 4. That the activities will not have a significant adverse effect on adjacent wetlands or watercourses.**

Based upon the foregoing findings, the Cheshire Inland Wetland and Watercourses Commission conditionally grants CIWWC Permit Application #2018-002, the permit application of Kurtz Realty, LLC for site plan approval as presented and shown on the plans entitled:

**“Existing Conditions Plan
Kurtz Realty, LLC
1521, 1531 Peck Lane, Cheshire, CT
Two sheets: Sheet one revised January 5, 2018,
Sheet two dated November 13, 2017
Prepared By: Milone and MacBroom, Cheshire, CT.”**

The permit is granted on the following terms, conditions, stipulations and limitations (collectively referred to as the “Conditions”) each of which the Commission finds to be necessary to protect the wetlands and watercourses of the State and the Town of Cheshire:

- 1. Any lack of compliance with any condition or stipulation of this permit shall constitute a violation of the Cheshire Inland Wetlands and Watercourses Regulations, and an enforcement order shall be both issued and recorded on the Town of Cheshire Land Records.**
- 2. No changes or modifications may be made to the plans as presented without subsequent review and approval the Cheshire Inland Wetlands and Watercourses Commission.**

- 3. Prior to any clearing, earthmoving and/or construction activities, the applicant shall accurately stake and flag clearing limits and properly install erosion controls.**
- 4. Throughout the course of conducting construction activities, and per Section 11.2K of the Cheshire Inland Wetlands and Watercourses Regulations, the applicant shall be responsible for ensuring the following:**
 - a) That all maintenance and refueling of equipment and vehicles is performed as far as practical from all wetlands and watercourses, at least 100' if possible. All oil, gasoline, and chemicals needed at the site shall be stored in secondary containment to prevent contamination of any wetlands or watercourses from possible leaks.**
 - b) That all disturbed areas on the site not directly required for construction activities are temporarily hayed and seeded until the site is permanently stabilized.**
- 5. This permit grant shall expire on January 16, 2023.**

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

X. NEW BUSINESS

There were no new business items.

XI. ADJOURNMENT

The meeting was adjourned at 7:36 pm by consensus of Commission members present.

Respectfully submitted:

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