

**CHESHIRE INLAND WETLANDS AND WATERCOURSES COMMISSION  
REGULAR MEETING  
TUESDAY, MAY 15, 2018  
TOWN HALL, 84 SOUTH MAIN STREET  
Council Chambers AT 7:30 P.M.**

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**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. Commissioner Earl Kurtz was not present. Staff: Suzanne Simone.

**IV. DETERMINATION OF QUORUM**

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

**V. APPROVAL OF MINUTES Regular Meeting – May 1, 2018**

Motion: To approve the minutes from the May 1, 2018 regular meeting with corrections; pg. 2 L32 “down” to “downed”; pg. 4 L44 “coordinator” to “to coordinate.” Moved by Mr. Norback. Seconded by Mr. Brzozowski. Motion approved unanimously by Commission members present.

**VI. COMMUNICATIONS**

Ms. Simone reviewed the following communications:

1. Staff Communication w/attachments Re: IWWC Permit # 2018-007, Peck Lane – Driveway Crossing
2. Staff Communication w/attachments Re: IWWC Permit # 2018-008, Reinhard Road & 1701 Highland Avenue – Site Plan – Building
3. Staff Communication w/attachments Re: Request for Determination – Stormwater Basin Maintenance
4. Staff Communication w/attachments Re: IWWC Permit # 2018-010, South Meriden Road/Sindall Road, Waterline Removal and Reinforcement of Streambed

**VII. INSPECTION REPORTS**

- 1. Written Inspections – None.**
- 2. Staff Inspections**

**Ms. Simone reported on the following staff inspections:**

- a. Hartford Healthcare Facility – Ms. Simone reported there were continued staff inspections of Hartford Healthcare Facility on South Main Street; they are doing a terrific job communicating with town staff on the project.**
- b. Knotter Drive –EverSource – Ms. Simone reported EverSource came before this Commission for a request for determination to do something with their parking lot and addition to their building; they came to see her because they needed to dewater inside the existing building – and they plan to excavate far outside the wetland area – not requiring review from the Commission.**
- c. 358 Cornwall Avenue – Ms. Simone explained there was a site walk at Mr. Jason Bartlett’s property – this item is under enforcement actions.**
- d. Williamsburg Drive – Ms. Simone followed up on a complaint on Williamsburg Drive where a person was cleaning up debris and dumped material along the right of way along Williamsburg Drive; when she went to the site, the site was being clean up and there were no issues regarding wetland impacts; soil was tracked in the road but it was swept up.**
- e. Jinny Hill Road – Ms. Simone reported a complaint was received about a stock pile of soil; what they did was put the pile over existing lawn area and filled in existing lawn.**
- f. Cheshire Academy – Ms. Simone said that site seems to be fully functioning – the basin work was completed – no erosion problems were seen; there were no problems.**
- g. Academy Road – Ms. Simone reported the house at the corner of Academy Road and Yalesville Road had a CO inspection – which was completed.**
- h. Cranberry Lane – Ms. Simone explained a complaint was received about drainage problems – there were no obvious wetland problems; they were referred to speak to an engineer regarding a possible driveway crossing modification they might need.**
- i. Public Works – Ms. Simone reported Public Works went in and removed some debris at the outlet on Redstone.**

**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 item would remain on the agenda for monitoring purposes.

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 would remain on the agenda for monitoring purposes.

3. Notice of Violation/Cease and Desist Order SC 2/20/18  
Unauthorized Activities in an Upland Review Area, SW 2/24/18  
Wetland Area and Intermittent Watercourse  
Mr. Jason Bartlett  
358 Cornwall Avenue  
Assessor's Map 57, Lot 75

Ms. Simone reported that she, the zoning enforcement officer and Commissioner Norback went to the site and that conditions had improved; items were corrected and improvements were made and he complied with the corrective order.

Mr. Norback agreed that corrections were made and the property owner seemed willing to take advice about possible additional corrective measures.

**Motion:**

That the Cheshire Inland Wetlands and Watercourses Commission, having considered the factors relevant to the issuance and release of the subject Notice of Violation, Commissioners' knowledge of the area, and after review of written information provided by the applicant on this matter, finds the following:

1. That on February 16, 2018, a Notice of Violation/Cease and Desist Order was issued to Jason Bartlett for unpermitted activities within the upland review area,

wetlands and watercourse.

2. That on February 20, 2018 the IWWC held a Show Cause Hearing and issued a Corrective Order to remove fill area and stabilize the site.
3. That on March 30, 2018 Staff received notice from Jason Bartlett, that the site work has been completed, according to the Corrective Order.
4. That on April 17, 2018 Staff received notice from Scott Meyers, applicant's engineer, that the site work has been completed, according to the Corrective Order.
5. That on May 9, 2018 Staff visited the site and observed the fill was removed from the pond, soil stockpile securely stored more than 25 feet from the edge of the pond, the drain pipe had been restored and the low pond bank reinforced and elevated.

Therefore, the Cheshire Inland Wetlands and Watercourses Commission does hereby determine that all issues in the Notice of Violation/Cease and Desist Order issued to Jason Bartlett dated February 16, 2018 have been addressed. Further, the Commission does hereby release and discharge the aforementioned Notice of Violation/Cease and Desist Order.

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

#### IX. UNFINISHED BUSINESS

1. Potential Addition/Modification to IWWC Fee Schedule

This item would remain on the agenda until additional information was available.

Ms. Simone summarized that she needed a chance to focus on analyzing the information collected and that it is not likely she'd have something to report at the next meeting – but soon after that.

2. Permit Application  
David & Laura Rochford  
875 Peck Lane  
Driveway Crossing
- |     |          |
|-----|----------|
| APP | 2018-007 |
| DOR | 4/17/18  |
| MAD | 6/21/18  |

David Rochford was present.

Mr. Rochford submitted revised maps/plans to Commission members.

Mr. Rochford presented the revisions to the proposed project – he talked about addressing a lot of the concerns addressed by engineering; some of the galley drains would remain based on perk tests done as part of the original 3 lot subdivision; he explained that an installation of a swale would alleviate some of the drainage issue; of the proposed wall was to be built they'd follow the town's recommendation; the plans show the revisions.

Dr. Dimmick commented about a power backup for the proposed pumps in case of power failures.

Mr. Rochford said that was something the plumbers mentioned.

Ms. Simone said they have the soil scientist signature; there are no outstanding staff concerns with this application.

Mr. Rochford asked to meet staff on the site to cut trees; and add silt fence.

Ms. Simone suggested Mr. Rochford have his surveyor flag the limit of clearing before proceeding with cutting.

Further action was deferred pending staff review and recommendation.

## X. NEW BUSINESS

- |    |  |     |          |
|----|--|-----|----------|
| 1. | Permit Application                           | APP | 2018-008 |
|    | James A. Fazzone Developers, LLC             | DOR | 5/15/18  |
|    | Reinhard Road & 1701 Highland Avenue         |     |          |
|    | Site Plan – Climate Control Storage Facility | MAD | 7/19/18  |

Attorney Anthony Fazzone was present representing the applicant.

Attorney Fazzone provided Commission members copies of the plans with an electronic signature of the soil scientist.

Attorney Fazzone gave a presentation for the proposed self-storage facility; there are three parcels of land; the proposal is for over 18,000 SF foot print; the proposal is to take the storm water off the site – shown on the plans.

Attorney Fazzone highlighted the area of disturbance; and the areas of the proposed project; he corrected the figures noted on the plans - the total area of disturbance in the upland review area 9,500 SF – the total area of disturbance is a little over a third of an acre within the upland review area.

Attorney Fazzone commented he is prepared to have an engineer and soil scientist present at the next meeting; they are waiting for a response from the engineering department on the storm water management report; he noted the facility design will reduce the runoff from the 100-year storm.

Dr. Dimmick gave some historical information about the pipe size underneath the road.

Attorney Fazzone said the drainage plans are designed to handle further development on the parcels.

Ms. Simone would forward engineering comments to Commission members.

Chairman de Jongh asked about regulations on what can be stored in the storage units.

Attorney Fazzone said certain items cannot be stored in the units would be controlled by the contract – nothing toxic or flammable.

Chairman de Jongh said they are now waiting to review engineering comments so this item would be brought up again at the June meeting.

2. Request for Determination RFD 2018-009  
Milone and MacBroom, Inc.  
99 Realty Drive  
Stormwater Basin Maintenance

Matt Sanford, professional wetland and soil scientist from Milone and MacBroom.

Mr. Sanford explained he was present to request a waiver of a wetlands permit to allow the Realty Drive Association to clean out a basin at the very end of Realty Drive.

Mr. Sanford gave a brief review of the last cleanup of the basin – and the proposed cleanup efforts; all of the work would be done outside of the wetland to restore the area back to its original condition; it's a 3-tiered project – there's a forebay component, a water quality swale component and water quality basin component.

Mr. Sanford talked about removing the shrubs and excavating the sediment and vegetation - removing it off the site; the project will be supervised very closely.

Chairman de Jongh asked Mr. Sanford to provide a narrative to staff that work is progressing; he did not see a problem with it (the proposed maintenance

Mr. Sanford said Suzanne is welcome to come out to the site – looking at the progress and they can send photos as well.

Motion: That the Commission, having receiving data on the proposed storm water maintenance at 99 Realty Drive has determined that a wetlands permit is not necessary for the proposed work.

Moved by Dr. Dimmick. Seconded by Ms. Dunne. Motion approved unanimously by Commission members present.

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|----|--|-----|----------|
| 3. | Permit Application                               | APP | 2018-010 |
|    | Gwen Macdonald                                   | DOR | 5/15/18  |
|    | South Meriden Road and Sindall Road              |     |          |
|    | Waterline Removal and Reinforcement of Streambed | MAD | 7/15/18  |

Gwen Macdonald was present.

Ms. Simone reported this is an ongoing issue that the Commission is aware of – the dam on the Quinnipiac River in Meriden was removed; after that there was erosion occurring near the active and abandon water lines; the Connecticut Fund for the Environment is the applicant on this spearheaded by Gwen Macdonald.

Ms. Simone reported this (the proposed activity) is a direct impact within the Quinnipiac River; Gwen Macdonald planned to come tonight to give an overview – it's want the Commission is already aware of – that they plan on abandoning the 30" water line that is protruding out of the water which is serving as a dam and there is a lot of scouring happening upstream of that; her recommendation is that the Commission set this for a public hearing seeing that there is direct impact within a watercourse.

Motion: To declare the proposed activity significant within the context of the regulations concerning the environmental impact, the proposed regulated activity; the relationship between short term and long-term impacts of the proposed regulated activity on the Quinnipiac River and also general public interest; as highlighted in sections 10.2 a and c (of the Commission's regulations).

Moved by Dr. Dimmick. Seconded by Ms. Dunne. Motion approved unanimously by Commission members present.

A public hearing was set for Tuesday, June 5, 2018.

Gwen Macdonald, the director of Habitat Restoration for Connecticut Fund for the Environment and Save the Sound, addressed the Commission.

Ms. Macdonald gave a brief background of the proposed project – the US Fish and Wildlife Service selected this project through a

competitive review process to mitigate damages to fish and wildlife within the Quinnipiac River – resulting from two super fund sites; this project is one of three barrier removal projects completed; she talked about the importance of the project and its improvement impacts on the City of Meriden.

Ms. Macdonald spoke about the project purpose being the protect fish passage and waterline infrastructure for the City of Meriden; there are active and in-active waterlines that need protection.

Ms. Macdonald said at the June 5 meeting more information the project will be provided; she informed the Commission various other applications, permits and needed information was been gathered relative to the proposed project.

Dr. Dimmick mentioned he had concerns regarding the dam's removal and scour issues associated with its removal.

Ms. Macdonald said bank restoration is also included in the project proposal; a vegetative restoration plan is also proposed.

Dr. Dimmick said his concern was about the pipe causing the long profile scour problem – caused by the dam's removal.

Ms. Macdonald said HEC-RAS and River 2D were provided for fish passage and water flows.

Chairman de Jongh suggested that Ms. Macdonald have these details available to present at the public hearing.

Commission members would determine the need for a site visit after the public hearing.

#### **XI. ADJOURNMENT**

The meeting was adjourned at 8:18 pm by consensus of Commission members present.

Respectfully submitted:

Carla Mills  
Recording Secretary  
Cheshire Inland Wetland and Watercourse Commission