

**CHESHIRE INLAND WETLANDS AND WATERCOURSES COMMISSION
REGULAR MEETING
TUESDAY, JULY 3, 2018
TOWN HALL – 84 SOUTH MAIN STREET
Council Chambers AT 7:30 P.M.
*Immediately Following the Public Hearing***

I. CALL TO ORDER

Chairman de Jongh called the meeting to order at 7:57pm.

II. PLEDGE OF ALLEGIANCE

The pledge of allegiance was recited at the public hearing.

III. ROLL CALL

Ms. Dunne called the roll at the public hearing. Members present were Robert de Jongh, Charles Dimmick, Kerrie Dunne, Earl Kurtz and Thom Norback. Staff: Suzanne Simone. Members not present: Will McPhee and Dave Brzozowski.

IV. DETERMINATION OF QUORUM

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

**V. APPROVAL OF MINUTES Regular Meeting – June 19, 2018
Site Walk – June 27, 2018**

Motion: To approve the minutes from the June 19, 2018 regular meeting with corrections - Pg. 1 L10 delete "AMENDED* AGENDA" and Pg. 3 L18 change "follow" to "follow-up"; and the site walk of June 27, 2018 with no corrections.

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

VI. COMMUNICATIONS

Ms. Simone reviewed the following communications:

1. Engineering Comments Re: App. 2018-008, Site Plan, Climate Control Storage Facility on Reinhard Rd. & 1701 Highland Ave.
2. Staff Communication w/attachments Re: IWWC App. 2018-010, Quinnipiac River Abandoned Waterline Removal & Reinforcement of Streambed

3. Staff Communication w/attachments Re: App. 2018-018, Site Plan, Fieldstone Court
4. Letter from Sigrun Gadwa Re: Ten Mile River

VII. INSPECTION REPORTS

1. Written Inspections – None.
2. Staff Inspections
 - a. Ms. Simone reported there was a staff inspection of the property on Peck Lane that was the subject of Sigrun Gadwa's letter regarding the Ten Mile River; the majority of the erosion controls are functioning as required; during the last rain storm an area was breached so she spoke with the person in charge and was told everything was going to be taken care of as soon as possible and as soon as the grading is done, the matting will be put in place.

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 continued monitoring.

Ms. Simone reported she had a brief conversation with Mr. Barnett and he is working on getting all the work done.

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 continued monitoring.

Ms. Simone stated she would be sending the property owner a letter because she can see from the street the property is still being mowed – which was the purpose of this cease and desist.

IX. UNFINISHED BUSINESS

1. Potential Addition/Modification to IWWC Fee Schedule

Ms. Simone provided an update on this item stating the ordinance review committee will be meeting next Thursday night (July 12, 2018) and they will take up the issue of permit after the fact (they had asked staff for additional information which was provided) she and Ms. Dunne planned to attend the July 12, 2018 meeting.

2. 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

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 current application is for the construction of an 18,325-square foot building and associated parking and stormwater management system. The parking area storm runoff will be directed into catch basins and discharged into a detention basin with a sediment forebay with a controlled release structure to achieve zero increase in runoff from the proposed development site.
2. That the applicant calculates .3 acres of disturbance within the upland review area.
3. That the inland wetland boundaries were field located by Cynthia Rabinowitz, soil scientist, as indicated in her February 2018 inland wetland soil report.
4. That the proposed 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 #2018-008, the permit application of JAMES A. FAZZONE DEVELOPERS, LLC for site plan approval as presented and shown on the plans entitled:

**“A Storage Facility Climate Controlled
1670 Reinhold Road, Cheshire CT
Site Plan
4 Sheets, Scale Varies
Dated June 18, 2018, Revised Sheets
Prepared by Gregory Chere Architect, 87 North Street,
Watertown, 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. Throughout the course of conducting permitted 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’ where 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.
4. This permit grant shall expire on July 3, 2023.

Moved by Ms. Dunne. Seconded by Dr. Dimmick. 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 | PH | 7/03/18 |
| | Waterline Removal and Reinforcement of Streambed | MAD | 8/07/18 |

This item was subject of a public hearing tonight; staff will prepare wording for the next meeting.

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| 4. | Permit Application | APP | 2018-017 |
| | Helm Family Investments I, LLC | DOR | 6/19/18 |
| | Lexington Court | PH | 7/17/18 |
| | Site Plan – Wetlands Crossing | MAD | 8/21/18 |

This item is scheduled for a public hearing on July 17, 2018.

X. NEW BUSINESS

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|----|---------------------------|-----|----------|
| 1. | Request for Determination | RFD | 2018-018 |
| | Nosal Builders, Inc. | | |
| | Fieldstone Court | | |
| | Building Addition | | |

Darin Overton, PE of Milone and MacBroom was present on behalf of the applicant, Nosal Builders.

Mr. Overton reviewed the plans and photos with the Commission; the plan showed the existing building and proposed 5,000 SF addition; the photos show the subject property area and the detention area.

Mr. Overton said the area is all paved where the addition is going; the additional is going in the area of the pavement; the disturbed area is all outside of the 50' upland review area –there will be no expansion of disturbance beyond what was already permitted as part of the previous development of the property; they are swapping pavement for building area to do this addition; the stormwater management does not change whatsoever – the collection system stays exactly the same – they roof leaders will be tied into the collection system and stormwater basin is functioning very well and are vegetated –it was have the same amount of runoff; the basin was sized for all this to be impervious to begin with so there is no change in the stormwater management.

Chairman de Jongh asked about the storage of any chemicals –and what is going to be stored in there.

Mr. Overton explained that Stericycle – a biomedical waste handler; everything that's received at this faculty comes in close containers that's brought in by trucks in small metal containers and then they are picked up by tractor trailers and brought to facilities to be properly disposed of; none of the containers are ever opened.

Ms. Dunne noted it's still hazardous waste and medical waste.

Mr. Norback asked if the construction of the addition would have frost walls and slab on grade.

Mr. Overton said yes – they will construct frost walls – it will be basically the extension of the still grid out there; it's going to operate separately from the existing building – it will operate on its own.

Mr. Overton stated some soil is going to be replaced with concrete.

Mr. Overton talked about some of the activity taking place on the property currently; Nosal Builders is still processing stone so he imaged that excess material would be stored in this area.

Mr. Norback asked how the vernal pool worked out (in this area).

Mr. Overton said Ed Pollack, soil scientist, has always been welcomed to come out – the area is being monitored at the request of the owner. He gave a brief review of the vernal pool and a few Wood Frog egg masses that found; he talked about the pool depth and how that support predators of vernal species; they may come back to make the pool shallower.

Motion: That after examining the proposal, the Commission declares that the proposed activity does not rise to the level of needing a permit.

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

2.	Permit Application	APP	2018-018
	Nosal Builders, Inc.	DOR	7/03/18
	Fieldstone Court		
	Building Addition	MAD	9/20/18

Mr. Overton withdrew the application.

XI. ADJOURNMENT

The meeting was adjourned at 8:11 pm by consensus of Commission members present.

Respectfully submitted:

Carla Mills
Recording Secretary
Cheshire Inland Wetland and Watercourse Commission