

**CHESHIRE INLAND WETLANDS AND WATERCOURSES COMMISSION
REGULAR MEETING
TUESDAY, JULY 17, 2018
TOWN HALL 84 SOUTH MAIN STREET
ROOM 207/209 AT 8:15 P.M.
*Immediately Following the Public Hearing***

I. CALL TO ORDER

Dr. Dimmick, serving as chairman pro-tem in Robert de Jongh's absence; he called the meeting to order at 8:15 pm. Mr. Norback rejoined the meeting at 8:15 pm (he had recused himself for the public hearing).

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 at the public hearing were still in attendance for the regular meeting: Charles Dimmick, Dave Brzozowski, Kerrie Dunne, Earl Kurtz, Will McPhee and Thom Norback. Staff: Suzanne Simone. Member not present: Robert de Jongh.

IV. DETERMINATION OF QUORUM

There were enough members present for a quorum.

V. APPROVAL OF MINUTES Public Hearing – July 3, 2018
Regular Meeting – July 3, 2018

Motion: To approve the minutes from the July 3, 2018 public hearing with corrections; pg. 2 L25 change "know" to "known"; and the regular meeting of July 3, 2018 with corrections; pg. 2 L51052 should read "property (within the conservation easement) is still being mowed"; pg. 5 L54 "close" to "closed."

Moved by Mr. Kurtz. Seconded by Ms. Dunne. Motion approved 5-0-1 with Mr. McPhee abstaining.

VI. COMMUNICATIONS

Ms. Simone reviewed the following communications:

1. Letter to Luis Rivera and Joanna Kozak, Re: Corrective Order for 1392 Cheshire Street – Ms. Simone reported it appears after driving by the property, the area continued to be mowed; the property owner has not yet signed for the certified letter sent by staff which explains

what's was expected of the property owner; further discussion on this item can be had at the next meeting.

2. Staff Communication W/attachments Re: Application #2018-017, Lexington Court, Wetland Crossing
3. The Habitat, CACIWC, Spring/Summer 2018 volume 30, number 2
(To be handed out at meeting)

VII. INSPECTION REPORTS

1. Written Inspections

Discussed under communications of 1392 Cheshire Street.

2. Staff Inspections

- a. Ms. Simone stated there were ongoing staff inspections of the development site on South Main Street for the medical office building – she reported they are maintaining that site very well with erosion controls and there have not been any problems.

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

Ms. Simone as she told the Commission at the last meeting she did have a conversation with Mr. Barnett and he is aware of what needs to be in order to get the CO and to get this item off the agenda.

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

Ms. Simone reported on this item under communications.

IX. UNFINISHED BUSINESS

1. Potential Addition/Modification to IWWC Fee Schedule

Ms. Simone reported that she and Ms. Dunne attended a meeting of the ordinance review committee last week; the committee and town attorney seemed in favor of the information they had regarding

increase in fees (based on what other towns do); the town attorney gave the green light to draft something as to what other towns do (regarding fees); user fees and additional Commission fees were also discussed and it was agreed that should be looked at.

2.	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	SW	6/27/18
		MAD	8/07/18

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 this application is for the removal of an abandoned 30 inch water main across the Quinnipiac River.
2. That this application is to include the protection of an existing buried 10 inch water main via stabilization of the streambed, creation of fish migration channel, restoration of the river bank and reuse of existing material.
3. That the Commission declared the application significant within the context of the Inland Wetlands and Watercourses Regulations of the Town of Cheshire.
4. That the Commission held a public hearing on this application on July 3, 2018 and that the applicant's representatives presented testimony during the one public hearing.
5. That the proposed site plan 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 #2018-010, the permit application of GWEN MACDONALD/CFE for site plan approval as presented and shown on the plans entitled:

**“Connecticut Fund for the Environment
Quinnipiac River Restoration & Protection of Active
10-Inch Water Main
New Haven County, CT
June, 2018
9 Sheets
Prepared by Stantec Consulting Services Inc.
30 Park Drive, Topsham, ME 04086.”**

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 the commencement of construction activities, a professional engineer/technician shall certify, in writing to the Commission, that all required erosion and sedimentation controls are in place and functioning as represented by applicant to ensure the prevention of erosion and sedimentation into adjacent wetlands and watercourses. The cost of the professional engineer/technician shall be borne by the applicant. The applicant shall also notify Commission Staff so that Staff may inspect the site to verify that all required controls are in place. Staff may also insist on additional controls if field conditions warrant them.
4. Throughout the course of conducting construction activities covered by this permit grant, 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 shall expire on July 17, 2023.

Moved by Mr. Kurtz. Seconded by Mr. Norback. Motion approved 5-0-1 with Mr. McPhee abstaining from the vote.

3.	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 was subject of tonight’s public hearing; the public hearing was continued to the next meeting on August 7, 2018.

X. NEW BUSINESS

1.	Request for Determination	RFD	2018-019
	Vincent J. Masciana		
	525 South Main Street		
	Athletic Storage Building		

George Noewatne, Director of Public Works was present.

Ms. Simone explained this is an application that is currently with the Planning and Zoning Commission; this Commission has reviewed activities on the high school grounds previously and there was discussion that this Commission should take a look at this because of the artificial turf because of a previous determination; at that time the project showed that the activity was within about 500’ of the nearest wetlands and what’s being proposed it closer to 1000’ from a wetland.

Commission members reviewed the map provided.

Mr. Noewatne addressed the Commission stating this is a public building commission project – it’s for the construction of a 3000 SF storage building for athletic and band use.

Dr. Dimmick said he did not see this would cause any measurable effect on the wetlands.

Motion: That the Commission has determined no application is needed for the proposed activity.

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

XI. ADJOURNMENT

The meeting was adjourned at 8:27 pm by consensus of Commission members present.

Respectfully submitted:

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