

**CHESHIRE INLAND WETLANDS AND WATERCOURSES COMMISSION
REGULAR MEETING
TUESDAY, JULY 19, 2011
TOWN HALL – 84 SOUTH MAIN STREET
COUNCIL CHAMBERS AT 7:30 P.M.**

Members present: Robert de Jongh, Charles Dimmick, Matthew Bowman, Earl Kurtz, Kerrie Dunne, Sheila Fiordelisi (at 7:32 p.m.).

Not present: Will McPhee

Staff Present: Suzanne Simone

I. CALL TO ORDER

Chairman de Jongh called the regular meeting to order at 7:30 p.m.

II. PLEDGE OF ALLEGIANCE

The pledge of allegiance was recited by those present.

III. ROLL CALL

Ms. Dunne called the roll.

Members in attendance were Robert de Jongh, Charles Dimmick, Matthew Bowman, Earl Kurtz, Kerrie Dunne, and Sheila Fiordelisi (at 7:32 p.m.).

IV. DETERMINATION OF QUORUM

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

V. APPROVAL OF MINUTES – Regular Meeting – July 5, 2011

The approval of the minutes was deferred to the end of the meeting.

At 8:14 p.m.

Motion: To approve the minutes from the July 5, 2011 regular meeting minutes with corrections.

Pg. 7 L31 add “had” before “any”, L32 “actually” to “actual”, delete “would”; Pg. 19 L18 delete “the applicant was not significant – that”, L21 “at” to “after”; Pg. 20 L30 “town home” to “townhouses”; Pg. 27 L39 “hug” to “dug”, L40 “swamping” to

“swamp”; Pg. 29 L7 add “to the” before “end wall”, L25 delete “in”, L27 “to” to “too”; Pg. 30 L7 “can” to “can’t”.

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

VI. COMMUNICATIONS

1. RWA Comments

Re: 11 Shire Court Drainage Swale & Cross Culvert

Commission members reviewed this communication. This item is also under unfinished business and also known as 808 Bethany Mountain Road.

2. Letter to Mr. Edward Ellis

Re: 79 Dundee Drive

Commission members reviewed this communication.

3. Staff Communication Re: 808 Bethany Mountain Road, Drain Pipe Permit Application #2011-002

Commission members reviewed this communication. This item is also under unfinished business.

4. Application of Donald J. Baumgarten for Shed Installation, Harvest Court

Commission members reviewed this communication. This item is also under new business.

5. Application of Michael Dimech for Above Ground Pool, Robin Lane

Commission members reviewed this communication. This item is also under new business.

6. Application of Lori Schommer for In-ground Pool, 703 Andrea Court

Commission members reviewed this communication. This item is also under new business.

7. NDDB Screening for Sandbank Road App. #2010-023A

Commission members reviewed this communication.

- 8. Application of Timothy Mahoney for Above Ground Pool, Tucker Road**

Commission members reviewed this communication.

Handed out at tonight's meeting were the following communications:

- 9. Summer 2011 Edition of the Habitat**

Commission members reviewed this communication.

- 10. Engineering comments for the application for 808 Bethany Mountain Road submitted by the applicant's engineer Michael Harkin, PE.**

Commission members reviewed this communication.

- 11. Cheshire Engineering Department review of 808 Bethany Mountain Road**

Commission members reviewed this communication.

- 12. Project narrative re: Mixville Recreation area application**

Commission members reviewed this communication. This item is under unfinished business tonight.

- 13. Staff Engineering comments for the application for 30 Harvest Court**

Commission members reviewed this communication.

- 14. Additional staff comments for 7 Robin Lane application**

Commission members reviewed this communication.

- 15. Additional staff comments for the 703 Andrea Court application**

Commission members reviewed this communication.

- 16. Additional staff comments for the 1262 Tucker Road application**

Commission members reviewed this communication.

- 17. Other – none.**

August 2011 and then staff would go back out to the site for an inspection.

Ms. Simone said if the work is not complete by the inspection date it will be handed over to the town attorney.

Chairman de Jongh noted there was only one meeting in August.

Ms. Simone stated that they (the Ellis') will not be attending the meeting – they do not have any business pending before the Commission; they have their own time frame they need to get things done to remove material off of town property, to establish the conservation easement and all of that but the inspection will take place the first Monday of August so she will be able to report to the Commission at the August 2 meeting as to what the findings were.

3. **Unauthorized Activities in a Regulated Wetland Area
Gladys & Salvatore DeLucia Jr.
808 Bethany Mountain Road**

Ms. Simone stated that this item is subject of unfinished business.

4. **Unauthorized Activities in a Regulated Wetland Area
David Hajdasz and Joanna Debear
11 Shire Court**

Ms. Simone stated that this item is subject of unfinished business.

IX. UNFINISHED BUSINESS

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|--|---|------------|------------------|------------|----------------|-----------|----------------|------------|----------------|
| <ol style="list-style-type: none">1. Permit Application
David Hajdasz
808 Bethany Mountain Road
Site Plan – Drainage Pipe | <table border="0"><tr><td>APP</td><td>#2011-002</td></tr><tr><td>DOR</td><td>4/19/11</td></tr><tr><td>FT</td><td>5/07/11</td></tr><tr><td>MAD</td><td>7/23/11</td></tr></table> | APP | #2011-002 | DOR | 4/19/11 | FT | 5/07/11 | MAD | 7/23/11 |
| APP | #2011-002 | | | | | | | | |
| DOR | 4/19/11 | | | | | | | | |
| FT | 5/07/11 | | | | | | | | |
| MAD | 7/23/11 | | | | | | | | |

Michael Harkin, PE of Harkin Engineering, LLC, Killingworth, CT was present on behalf of the applicant.

Mr. Harkin addressed the Commission.

Mr. Harkin informed the Commission that he was before the Commission tonight to discuss the site plan aspects of the 11 Shire Court project. He said first and for most he wanted to discuss how his firm got involved.

Mr. Harkin explained that back in April of this year, Chris Conklin of Conklin and Soroka had called Harkin Engineering to do an analysis of an existing 6” culvert that went across the existing driveway.

Mr. Harkin said they analyzed that culvert as an independent third party to come with if that was an adequate size or not an adequate size and what that culvert is doing to the upland adjacent wetlands area as well as the down gradient wetlands area which is a pond.

Mr. Harkin explained they went through that analysis and they came up with the 13 acre drainage area that can vent the ten year storm through that pipe but what happens is the uphill side of that pipe retains water; with that retainage of water it also is a viable water source to that wetlands area.

Mr. Harkin said what they came up with if the Commission so wanted to was to put in a 12” pipe in there – the 12” pipe would handle the flows associated with the 10 year storm event but it would dry out that wetlands.

Mr. Harkin noted that was noted in a letter dated April 19, 2011 to the Commission.

Mr. Harkin said they did not hear anything until the beginning part of June and Chris Conklin had contacted their office and asked what they could do to elevate some of the problems on the site – what are the other options they have besides that 12” pipe.

Mr. Harkin explained they went through an analysis of putting in a swale intercepting the clean water and put a letter together dated June 6, 2011 making a low point in that existing driveway.

Mr. Harkin said again they did not hear anything back from him until the beginning of July which at that point there was feedback from the Commission. He said Mr. Conklin had contact him and asked if they would put what they had in a letter on a site plan which they did and it was officially submitted to the Wetlands Commission.

Mr. Harkin said so in front of the Commission tonight they have the site plan – he said he believed Chris Conklin had dropped off signed and stamped site plans for this project.

Mr. Harkin said he was in receipt of a letter dated July 5, 2011 from the Engineering Department – they only comment they had was “this

office might make is a paved surface in the depressed area in order to prevent erosion.” He said subsequently he had written a letter back dated July 14, 2011 basically stating that a complete impervious pavement will increase the velocity flowing down to the adjacent wetlands ponding area and that wasn’t a good idea. He said in order to evaluate the Engineering Department’s concern they had basically asked to put and install reclaim material.

Mr. Harkin explained that reclaim is a by-product of bituminous concrete. He said what happens is you can see the milling of the roads prior to paving – they take that millings and use that as a coating over an existing driveway.

Mr. Harkin said just to discuss the plan – the proposed call outs and such; on the northerly side of the driveway they have provided a swale appropriately 150’ long in some areas – that is put there in order to intercept the clean water running down the bank. He said obviously with the traffic coming over that driveway you have oil, you have grease from the cars, you have salt from the wintertime intercepting that clean water and not dirtying it up with any chemicals or pollutants and getting in to the ponding area.

Mr. Harkin explained that that swale can be installed completely on the subject parcel and in the easement area as shown. He said they will not have to be going over the property currently owned by or formerly of Lt. Col. Hugh P. Cash and Aliva Cash. He said they can do that without being on the adjacent neighbor’s property.

Mr. Harkin said what they propose in the area that is shaded is a series of regrading basically taking that area down approximately 1’ from where that culvert is right now so what they are doing is creating a big “V” action and what they call that is basically a weir that you basically see over a spill way so what happens is now that 6” pipe is remaining – it does create some ponding water but what happens is it naturally spills in to that “V” weir and then spills over the driveway. He said what that does and allows is the flow and velocity to remain the same at the existing condition so what they are not increasing the velocity and we are not increasing the flow on to that adjacent neighbor’s property where that pond is.

Mr. Harkin said if they were able to go through and put that bituminous pavement in that the Engineering Department had considered then they would be increasing the velocity because its 100% complete impervious.

Mr. Harkin said that is the gist of the site plan as you see it – he said he would be happy to answer any further questions that you may have either now or in the next section of the meeting under unfinished business.

Dr. Dimmick said he thought the swale placement is where both he and Matt Bowman in the field determined was probably the original swale overflow before the driveway had become modified so that would coincide with their field observations as to where it should have been.

Chairman de Jongh asked if the creation of that “V” effect or weir type of scenario in anyway impact the flow of water down to Shire Court.

Mr. Harkin said no it does not – what it basically does if anything – there is a high point in that driveway easement so what they are doing is actually grading it up steeper in that one area but they are not changing any drainage patterns so the same amount of water that is getting in to that pond now will be the same amount after that “V” is put in there.

Chairman de Jongh said he was looking at the applicant’s and town engineering comments – the letters that came in as part of tonight’s package – he said Mr. Harkin’s comments about using reclaimed material was somewhat challenged by the Town of Cheshire but while they weren’t comparable with it they weren’t uncomfortable with it as he understood it – it was kind of non-committal. He said he did not think there was any clear concern on the town’s part with the use of that material.

Mr. Bowman said in his opinion he thought the use of the material was fine.

Dr. Dimmick agreed. He said he thought they finally got to where they needed to get right back when.

Chairman de Jongh agreed.

Chairman de Jongh said the Commission appreciated the information and presentation and it now gives them a clear understanding of what’s going on and what the solutions are to try to bring this to a close.

Dr. Dimmick asked if the Commission had determined significance on this application.

Ms. Simone said the plan has changed – this is the first time the Commission is seeing this revision so this is something that even if previously the Commission found it to be not significant this a new design.

Motion: To accept the proposed revisions to the application.

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

Motion: To declare the proposed activities not significant within the context of the regulations.

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

Mr. Bowman said the only thing that was not addressed tonight was the issue with the overflowing well – he said he wanted to make sure that was addressed.

Dr. Dimmick said that is going to go down that channel – that swale along the north side of the driveway.

Ms. Simone said this application is a twofold application so for this particular matter the Commission had asked for the Engineer to be here which he is and then there was the other outstanding issue of having the neighbor Mr. Haley sign off on this which he did he did submit that information so this portion then the information has been satisfied with what the Commission asked. She said previously the applicant did submit an application to include the well and he did include what the rates were and the neighbor Mr. Haley did sign off on that as well.

Mr. Bowman stated ok – good. He asked if they were still within the mandatory action date.

Ms. Simone said the Commission will have to take action at the next meeting. There is only one meeting in August.

Further action on this item was deferred to the next meeting pending staff review and recommendation.

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| 3. | Permit Application | APP | #2011-011 |
| | Town of Cheshire Parks & Recreation Dept. | DOR | 07/05/11 |
| | Notch Road | | |
| | Site Plan – Drainage Improvement Plan | MAD | 9/08/11 |

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 installation of 400 linear feet of underdrains bordering the north ball fields at Mixville Recreational Area.
2. That the applicant's representative stated that the wetland disturbance will be temporary and limited to a 50 square feet area for the installation of a solid 12" solid pipe.
3. That the applicant's representative stated that best management erosion control practices will be employed during the drainage installation.
4. That the proposed site plans 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 #2011-011, the permit application of Town of Cheshire, Parks and Recreation Department as presented and shown on the plans entitled:

**"Proposed Ballfield Underdrainage
Mixville Recreation Area, Notch Road, Cheshire, CT
Prepared for the Town of Cheshire Parks and
Recreation Dept.
By the Town of Cheshire Public Works Department
Dated June 29, 2011
One sheet. Scale: 1"=40'."**

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 commencement of activities covered by this permit grant the applicant shall properly install all sediment and erosion controls indicated on the above referenced plans. Staff may insist on additional controls if warranted by field conditions.**
- 4. The trenches shall be lined with non-woven filter fabric prior to backfilling with stone and pipe to prevent the infiltration of fines into wetlands, per the July 19, 2011 Public Works narrative.**
- 5. 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.**
- 6. This permit shall expire on July 19, 2016.**

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

X. NEW BUSINESS

1.	Permit Application	APP	#2011-012
	Donald J. Baumgarten	DOR	7/19/11
	Harvest Court		
	Shed Installation	MAD	9/22/11

Donald Baumgarten was present.

Mr. Baumgarten addressed the Commission. He explained that he wanted to put a shed on his property. Basically he wanted to put part of it on a leeching field the rest of it will be off of it.

Mr. Baumgarten said he believed he would be outside of 50' when he takes a look at Chesprocott's map but when he looks at the GIS map everything is under wetlands.

Ms. Simone said to clarify the soils map that they have doesn't give an actual location – it just shows a general location so when Mr. Baumgarten came in and they were looking at the area its very close to tell – it appears as though its within 50' but not knowing exactly where the line is because its off the general aerial map as opposed to the site plan.

Mr. Baumgarten said when the house was built some 20 odd years ago he imagined the fill where that ended probably had to end within 50' of the wetlands.

Dr. Dimmick asked about the size of shed, if it had a foundation, if there would be grading.

Mr. Baumgarten said the shed was 12' by 16' and that the shed would be on gravel and there would be no excavating – just leveling it off a couple of inches.

Dr. Dimmick asked staff if the shed was at least 40' from the wetland even if they were not sure just where it.

Ms. Simone said it appeared as though it's within that 50' line and at first when they were talking the location that was identified for the shed was actually closer to more about 30' and then that location has been pushed back but because it is within that gray area staff could not sign off.

Dr. Dimmick asked if there was established lawn there.

Mr. Baumgarten said there is established lawn there presently.

Dr. Dimmick said this activity is darn close to being what they would call being de minimums and not requiring an application.

Chairman de Jongh said particularly since there is not going to be any excavation and the shed is just going to be on-grade.

Mr. Bowman said it's not a permanent structure – it's not a foundation.

Motion: That the Commission declares that the proposed activity is de minimus and does not require a wetlands application. The application fee should be refunded to the applicant.

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

2.	Permit Application	APP	#2011-013
	Michael Dimech	DOR	7/19/11
	Robin Lane		
	Above Ground Pool	MAD	9/22/11

Michael Dimech was present.

Mr. Dimech explained that the application was for the installation of an above ground pool. He said it was his understanding the pool depending on its size will encroach within the 50' boundary of a stream that runs north to south along the west perimeter of his property. He said he did a lot of measurements and depending on the size of the pool it will probably encroach with about 10' to 12' of that 50' perimeter so at closest the edge of the pool would be about 35' or so feet from the stream.

Mr. Dimech explained there would be no knocking down of trees, no leveling off the ground, it's all yard – it's all finished lawn right now.

Chairman de Jongh asked what kind of filter would be used.

Mr. Dimech said he hadn't decided yet – he said he was looking at sand or the pelletized type.

Mr. Dimech stated that he is located at the corner of West Main Street and Robin Lane.

Dr. Dimmick said this was something he thought the Commission should take a look at.

**Mr. Bowman said they Commission might also recommend Mr. Dimech might consider the use of a cartridge filter.
Mr. Dimech said ok.**

Chairman de Jongh said for the purposes of backwash they Commission suggests that Mr. Dimech look at using that type of filter.

There was a brief discussion about the benefits of using a cartridge filter.

Chairman de Jongh said staff has information regarding the cartridge filters in the office.

Dr. Dimmick said the Commission has some recommendations from the state on pools. He said that little stream there occasionally floods.

Mr. Dimech said it pretty much runs 3 or 4 times a year – it said he thought last year during the thaw it ran a little bit more than normal but it's generally pretty dry – it's dry right now.

Mr. Dimech said the proposed pool is between 18' to 24'. He said he is considering a round pool.

Commission members agreed they wanted to take a look at the site before proceeding.

Motion: To accept the application.

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

Commission members agreed to field trip the site on an individual basic and report their findings at the next meeting.

Mr. Dimech agreed to stake the location of the proposed pool.

The Commission would not be able to act on this application until the next meeting.

Further action on this item was deferred to the next meeting on August 2.

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| 3. Permit Application
Lori Schommer
703 Andrea Court
In-ground pool | APP | #2011-014 |
| | DOR | 7/19/11 |
| | MAD | 9/22/11 |

Ms. Fiordelisi recused herself from this portion of the meeting at 7:56 p.m. stating that the applicant was her client.

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

Mr. Ducsay informed the Commission that the property is located at 703 Andrea Court – it's a lot that was originally created as the Brickerton Woods Subdivision. He said its known as lot 7 located in an R-80 zoning district and is approximately 1.8 acres in size.

Mr. Ducsay said the current application is for the installation of an 18' by 24' in-ground pool with a 4' walk. He said the Commission will note on the site plan that the lot is served by both private well and subsurface sewage disposal septic system.

Mr. Ducsay said given the health code setback associated with that septic system the pool has limited area which it could be cited in. He said the Commission can see the pool has been cited in the upland review area with the closest corner of that walk approximately 27' from the wetlands edge.

Mr. Ducsay said in total there's .07 acres of upland area disturbance associated with this application – that works out to be approximately 3,000 SF and that is for the installation of the pool as well as for the fill associated which is extended down the slope.

Mr. Ducsay said the nearest disturbance to the wetland edge is approximately 10' and they can see that all the area that is proposed to be disturbed is circumnavigated by a row of sediment filter fence.

Mr. Ducsay said again the pool is sighted in the area its sighted in because they can see on the left hand side of the lot that the subsurface sewage disposal system extends to the rear of the property and given that the lot is served by a septic system you have to maintain a 25' separation distance between that pool and the septic system.

Mr. Ducsay said one thing that was important to note with this application is that the property is in a public supply watershed being the Broad Brook Reservoir of Meriden Public Supply Watershed and notification has been sent to both to the RWA as well as to the Department of Public Health regarding this application.

Dr. Dimmick asked who did the original wetland location on this.

It was noted Ken Stevens did the original wetland location.

There was discussion regarding the flows that go towards the east which would be Broad Brook Reservoir.

Mr. Ducsay said they plan on building up about 3' – the level of the pool would be at approximately elevation 286 so they are chasing the grade down the slope and at its highest point it's about a 3' fill.

Chairman de Jongh asked what kind of protection measures are going to be put in place there for that back end of the pool to address the 3' build-up – they are aggravating that drop off down to the pond.

There was discussion about the contours lines and the increase in elevation for the construction of the pool.

Chairman de Jongh said what he was asking is there going to be anything other than the sedimentation and erosion controls that are there as a more permanent structure to prevent stuff from going into the pond – things like this. He said he was assuming right now its grass.

Mr. Ducsay stated that was correct – it is lawn area up to the wetland edge currently and what they are proposing is the standard sediment and erosion control measures – the fill slope depicted on the site plan will be stabilized and created as a lawn area but not further S&E controls are proposed other than silt fence down gradient to construction activities.

Chairman de Jongh said what he would like then since they are proposing to go in to the non-encroachment area – he would propose that there be something more permanent there as a barrier because now they are losing that element of protection – that non-encroachment line was typically supposed to be for passive

recreation. He said he was concerned because there is nothing now.

Mr. Bowman said there is not non-encroachment line on this lot.

Chairman de Jongh said the 50' upland review area.

Dr. Dimmick said there is another problem – from the aerial photos it looks like the lawn is actually standing into the wetlands.

Chairman de Jongh said he would like to go out and see this site.

Motion: To accept the application.

Moved by Dr. Dimmick. Seconded by Ms. Dunne. Motion approved 5-0-1, Ms. Fiordelisi was not present for the vote.

Determination of significance was deferred pending the results of the field trip.

The Commission set a field trip for this property on Saturday, July 23, 2011 at 9:30 a.m.

Ms. Fiordelisi rejoined the meeting at 8:07 p.m.

4.	Permit Application	APP	#2011-015
	Timothy Mahoney	DOR	7/19/11
	Tucker Road		
	Above Ground Pool	MAD	9/22/11

Timothy Mahoney was present.

Mr. Mahoney addressed the Commission. He stated that the property is right on the Prospect-Cheshire line.

The Commission reviewed the plans for the proposed activity.

Mr. Mahoney showed on the plans the located of the proposed pool. He said the orange line on the plan is the property line according to the wetlands map – the green dot is the proposed area for the 24' round swimming pool – above ground.

Mr. Mahoney said the area is pretty much level there is not going to be too much disturbing of the soil; the top layer of the grass will moved to a low area where a stump used to sit.

Dr. Dimmick said it looks like there is a wetland running right through the middle of the property.

Mr. Mahoney said yes. He said the house is a cape with an in-law setup. He noted the blue stake area on the plan is the filter area for the filtering system.

Dr. Dimmick said this is another situation where the Commission should field trip the area.

Mr. Mahoney said about 47' in front of that pool looking to the south is the well – it is well water and city sewer so there is not septic to deal with.

Mr. Mahoney explained that right behind the pool is a berm that becomes a steep grade.

Dr. Dimmick said that is the old railroad track.

Mr. Bowman stated this is Fred Wilson's former home. He said he did not think the area was wetlands – he said he played in that area when he was a kid.

Mr. Bowman said in his opinion he thought the map was wrong.

Dr. Dimmick said that is one of the things he was wondering about.

Mr. Mahoney said right behind the property the neighbor has an easement on his property line in the back area and towards the back of the property it's mostly wooded also.

Chairman de Jongh asked if the area where Mr. Mahoney is proposing the pool ever get damp or wet.

Mr. Mahoney stated never.

Dr. Dimmick said what about the depression on the other neighbor's property.

Mr. Mahoney said that is approximately 66' away from the pool and drops down about 1.5' and he never really sees any water there.

Dr. Dimmick and Mr. Bowman concurred that they thought the maps were completely wrong.

Dr. Dimmick said he was wondering if there were any wetlands there or not.

Mr. Bowman said he did not think there were.

Mr. Mahoney said the wetlands that you can see the actual marsh area is on the other side of the property in the Prospect line; he said Mixville Brook runs through the woods there – he said that has to be about 500' or so from the pool.

Dr. Dimmick asked where Mr. Mahoney got the location of the wetland line from.

Mr. Mahoney said it was from the map.

Ms. Simone said it is from the official soils map. She said this is what it shows.

Dr. Dimmick said he thought this line was drawn back in the 1950's by Frank Endorf and some of his lines were based on topography rather than where the wetland line actual were. He said there are wetlands to the west – he said he thought wetlands were mapped to that point and on the topo when Mr. Endorf saw the depression and he just circled it in there.

Dr. Dimmick said they really need to go check the area. He said he had a sneaky suspicion that Mr. Mahoney is a victim of a 1950's lazy soil scientist.

Mr. Bowman said there is no doubt in his mind and he has been on that site at least a 100 times and there is not a bit of wetlands on it.

Dr. Dimmick if the Commission can verify the status of the wetland line this might be able to be taken care of without an application.

Motion: To accept the application.

Moved by Dr. Dimmick. Seconded by Ms. Fiordelisi.

Mr. Bowman asked if they could accept this knowing that if there aren't wetlands on the site that they can refund the fee.

Ms. Simone said they will hold off on cashing any check so in the meantime she would look through the documents that they have at

town hall and see if there is any supplemental maps – anything that has been revised, changed or amended.

Motion approved unanimously by Commission members present.

Chairman de Jongh said the Commission will allow Dr. Dimmick to go on site and take a look at the conditions and do a soil test and if it turns out that the comments from the Commission are accurate then they can probably take care of this at the next meeting in two weeks – the August 2 meeting.

Chairman de Jongh said unless there was clear evidence this evening that the map was inaccurate and they knew in fact by soil types it was not wetlands then they could have taken care of this evening but the only official map shows the existence of a wetland and with Dr. Dimmick credentials he can go out and take a look at and take care of that.

Chairman de Jongh said the state requires a two week waiting period so chances are the Commission can take care of this and they will be able to take care of this at the next meeting.

XI. ADJOURNMENT

The meeting was adjourned at 8:16 p.m. by the consensus of Commission members present.

Respectfully submitted:

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