

**CHESHIRE INLAND WETLANDS AND WATERCOURSES COMMISSION  
REGULAR MEETING  
TUESDAY, JANUARY 15, 2019  
TOWN HALL – 84 SOUTH MAIN STREET  
ROOM 207/209 – 7:30 P.M.**

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**I. CALL TO ORDER**

Chairman de Jongh called the meeting to order at 7:32pm.

**II. PLEDGE OF ALLEGIANCE**

The pledge of allegiance was recited.

**III. ROLL CALL**

Mr. Kurtz called the roll. Robert de Jongh, Charles Dimmick, Dave Brzozowski, Earl Kurtz, Will McPhee and Thom Norback were present. Staff member Suzanne Simone was present. Member not present was Kerrie Dunne.

**IV. DETERMINATION OF QUORUM**

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

**V. APPROVAL OF MINUTES – Regular Meeting – January 3, 2019**

Motion: To approve the minutes from the January 3, 2019 regular meeting with corrections; pg. 3 line 44 should read “hay bales be installed”; pg. 4 L37 should read “there would be a defined lawn area”

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

**VI. COMMUNICATIONS**

Ms. Simone reviewed the following communications:

1. Engineering Comments Re: IWWC App. 2018-020, 619 Tamarack Rd.
2. Site Plan Re: IWWC App. 2018-020, 619 Tamarack Rd.
3. Engineering Comments Re: IWWC App. 2019-001, Cornwall Ave.
4. Construction Sequence Re: IWWC App. 2019-001, Cornwall Ave.
5. Public Works Drainage Maintenance Notification Form Re: 148 Country Club Road

**VII. INSPECTION REPORTS**

1. Written Inspections – N/A
2. Staff Inspections

Ms. Simone updated Commission members on the following staff inspections.

- a. Edith Place - Ms. Simone reported this property is under development and there is an issue with an outlet pipe to the detention basin; this issue will be corrected on January 16, 2019.
- b. Shire Court - Ms. Simone reported there is problem on Shire Court at the home with the rear lot access driveway – the issue pertains to water diversion. She has had a conversion with the property owner and they reported that the water surface issue is worse is the later winter/early spring; more information would be available at the next meeting.
- c. Hartford Health Care Building on South Main Street - Ms. Simone reported the applicants are doing an excellent job on the project and they are on top of project details.
- d. Country Club Road Public Works Drainage Maintenance Notification Form - Ms. Simone reported that the public works department submitted a drainage maintenance notification form for property located at 148 Country Club Road; the work is proposed to take place in January/February 2019.

**VIII. ENFORCEMENT ACTIONS**

- |   |    |         |
|---|----|---------|
| 1. 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.

Ms. Simone informed the Commission that the judgment was placed on the land records and payments were being made for the installation of the fencing; staff would be inspecting the installation of the fencing.

**IX. UNFINISHED BUSINESS**

**1. Potential Addition/Modification to IWWC Fee Schedule**

Chairman de Jongh said they are waiting to hear back (regarding the letter sent to the town council from the Commission) about the potential addition/modifications to the IWWC fee schedule.

Ms. Simone reported they are waiting for the town council to schedule a meeting to discuss the fees; when that happens, she'd let Commission members know when the meeting date was to take place.

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|---|---------------------|
| <b>2. Permit Application</b>                            | <b>APP 2018-020</b> |
| <b>Prospect Pools, LLC/Chris Keeler</b>                 | <b>DOR 10/16/18</b> |
| <b>619 Tamarack Road</b>                                |                     |
| <b>Site Plan – Inground Pool &amp; 24' x 24' Garage</b> | <b>MAD 1/15/19</b>  |

Ms. Simone confirmed revised plans were submitted showing the roof leaders.

**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 installation of an inground pool and construction of a garage within the upland review area 619 Tamarack Road.
2. That site plan field locates the extent of inland wetlands, and is signed by Peter Shea, the applicant's soil scientist, October 2018.
3. That the site plan locates the 50' upland review area. The plan calculates the upland review area impact at 2,935 square feet for both the proposed pool and garage, and associated grading.
4. That no wetland impacts are proposed.

5. 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 #2018-020, the permit application of PROSPECT POOLS/CHRIS KEELER for site plan approval as presented and shown on the plans entitled:

“Site Plan, 619 Tamarack Road, Cheshire, CT  
Dated December 6, 2018, Revised January 8, 2019  
Prepared by MMI, 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 construction activities covered by this permit grant, or request for a Building Permit, the applicant shall accurately stake and/or flag all clearing limits and install sediment and erosion controls, as depicted on the above-mentioned site plan.
4. 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.

5. This permit grant shall expire on January 15, 2024.

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

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|----|-----------------------|-----|----------|
| 3. | Permit Application    | APP | 2019-001 |
|    | House 2 Home Builders | DOR | 1/03/18  |
|    | Cornwall Avenue       |     |          |
|    | Site Plan – House     | MAD | 3/09/19  |

John Gable from CT Consulting Engineers was present on behalf of the applicant House 2 Home Builders. Ed Barnett, the applicant was also present.

Ms. Simone informed Commission members that she had a meeting with Ed Barnett and John Gable to review the construction sequence; and there was a focus on item #13 regarding the installation of the permanent fencing/posts. She said the applicant wants to be able to add the posts at the end of the project, so they can get in and out of the area.

Dr. Dimmick suggested putting a performance bond in place for items #11-18 (on the construction sequence) until all those items are done (work pertaining to place and grade banks, slope stabilization, finish grade, gravel base for paved areas, construct a fence and posts, construct a driveway and place bituminous pavement, spread top soil and seed all areas disturbed, stabilize slopes, remove sediment and dispose of offsite, remove anti-tracking pad, repair any damage to curbing and after disturbed areas have had vegetation re-established remove siltation barriers).

There was discussion regarding whether a performance bond could be used in this scenario.

Ms. Simone said staff would need time to review the placement of a bond.

Mr. Gable said the plan before the Commission is the same plan as shown in the previous application, but this is a new application.

Mr. Gable said the proposal is for a single-family home, with a septic system and footing drains, and they would be installing wood fencing and wetland placards – 2 to the west on the upland review line and 4 along the clearing limit and on the easterly side the placards would be readjusted. The map of the project was reviewed showing the location of the upland line.

Mr. Gable reviewed the handout detailing the construction sequence of work to take place.

Ms. Simone asked about item #3 – would they be saving any trees.

Mr. Gable said they would be saving trees that were in good condition; and that new fill would be need as part of item #8 (grading and site development).

Mr. Barnett commented about making sure it (the site), before construction, was staked out professionally so they would know where the lines were; and they clear trees and remove stumps and that the fence and placards would go up as soon as possible. He said there was a small portion of construction near the wetlands.

Mr. Kurtz said at the last meeting they talked about bonding the entire project or that they'd ask for two bonds (for specific project pieces).

Ms. Simone said staff was looking into what they can require a bond for – they can look into bonding for the fence or they (the applicant) can put up the fence first (eliminating the need for a bond).

Mr. Barnett and the Commission discussed the placement and timing of the placement of the fencing, the project details, IW requirements, and bonding aspects of the project.

Chairman de Jongh asked about an escrow for the fence.

Mr. Barnett talked about and asked about the fencing, about how many feet of fencing needed to be installed about exactly where it would be, and exactly when (timing) the fence would be installed; and how close it would be installed in relationship to the upland and wetlands; he had some concern about the cost of the fencing.

Ms. Simone asked if the applicant could provide an estimate for the cost of 200' of fencing.

Commission members continued to discuss the project details.

**Ms. Simone agreed to have another meeting with staff, Mr. Barnett and Mr. Gable to go over requirements and construction sequence details.**

**Chairman de Jongh said they would allow staff time to work with the applicant.**

**X. NEW BUSINESS**

**There was no new business discussed.**

**XI. ADJOURNMENT**

**The meeting was adjourned at 8:12 pm by consensus of Commission members present.**

**Respectfully submitted:**

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