

CHESHIRE INLAND WETLANDS AND WATERCOURSES COMMISSION
REGULAR MEETING
TUESDAY, MAY 19, 2020

Via Video Teleconference
(Per Executive Order of the Governor of Connecticut)
Public access on YouTube at

https://www.youtube.com/channel/UC4_xey3QjJmwe57R_6K94Dw

Video available on Channel 14 and at www.cheshirect.org

I. CALL

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

II. ROLL CALL

Ms. Simone called the roll.

Members present were Chairman Earl Kurtz, Dr. Charles Dimmick, Thom Norback, Kerrie Dunne, and Will McPhee (at 7:37 pm).

Member not present: Dave Brzozowski.

Staff member present: Suzanne Simone.

III. DETERMINATION OF QUORUM

Chairman Kurtz determined there were enough members present for a quorum.

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was recited.

V. ACCEPTANCE OF MINUTES: Regular Meeting of March 3, 2020

Chairman Kurtz called for a motion to approve the minutes from the March 3, 2020 regular meeting with corrections as noted: pg. 5 L41 “verses” to “versus” and pg. 11 L22 “regarding” to “regrading.”

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

VI. COMMUNICATIONS

Ms. Simone reviewed the following communications (items which are to be covered on tonight's agenda):

- 1. Site Plan: Carrier Enterprises, Reservoir Road**
- 2. Request for Determination letter from Ryan McEvoy, Milone and MacBroom: Caley property subdivision, South Meriden Road**
- 3. Subdivision Plans: Caley property, South Meriden Road**

VII. UNFINISHED BUSINESS

1. Permit Application	APP	2020-006
Carrier Enterprises, Inc.	DOR	3/03/20
Reservoir Road		
Site Plan – House	MAD	5/07/20

Ms. Simone noted there was no outstanding information requested at the last meeting and the language reviewed at the last meeting was the same language for the motion presented tonight.

The plans for the proposed activity were reviewed.

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 applicant is seeking a permit to construct a single-family house on a 2.039 acre property containing wetland soils.**
- 2. That the soil delineation is from 2002 and the site plan does not contain the original soil scientist signature, the location is referenced in the general notes.**

3. That the site plan locates erosion controls and wetland non encroachment markers.
4. That the proposed activities, if managed according to the site plan, 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 #2020-006, the permit application of Carrier Enterprises, Inc. for site plan approval as presented and shown on the plans entitled:

**“Improvement Location Survey-Proposed
Lot 1, Carrier Property Subdivision
Reservoir Road, Cheshire CT
Dated: February 28, 2020, Revised March 4, 2020
Prepared By: Milone and MacBroom, Inc, Cheshire CT.”**

The permit/order 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. No disturbance of any kind, including establishment or maintenance of lawn areas, shall be allowed beyond the wetland boundary identified in the above referenced plans. Language identifying the non-encroachment area shall be placed in the deed of the property and on a map for this property filed in the Cheshire Land Records, which shall, in part, state that no disturbance or activity of any kind other

than passive recreation shall be allowed within any non-encroachment area.

4. Per Section 12 of the Cheshire Inland Wetlands and Watercourses Regulations, a bond covering the costs of the sediment and erosion controls, as shown on the above-referenced plans, shall be filed with the Town Planner's Office prior to the commencement of construction activities. The amount of the bond shall be determined by the Cheshire Planning Office.
5. Prior to any construction activities, including tree cutting, covered by this permit grant, or request for a Building Permit, the applicant shall have the following items both completed by a qualified party and verified as complete by Commission Staff:
 - a) Prior to any clearing or earthmoving activities, the accurate staking and/or flagging of all clearing limits.
 - b) Prior to the commencement of construction activities, including tree cutting, a professional engineer 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 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.
 - c) Prior to the commencement of activities covered under this permit grant, the name of a contact individual together with a 24-hour phone number shall be submitted to the Planning Department and designated with responsibility and authority to receive notices of any breaches or deficiencies of sedimentation and erosion controls on-site, and to effectuate repair of any such breaches or deficiencies within 6 (six) hours of such notice from the sediment and erosion control inspector, as identified above, or the Town of Cheshire.

Commission Staff may insist on additions/modifications to items 5a-5c.

- 6. An inspection of the condition, integrity, and adequacy of the sedimentation and erosion controls shall be made by a qualified party either weekly or after every significant rainfall of 1/2" or greater, whichever is sooner, until all disturbed areas are stabilized. Said party shall be independent of the contractor. All reports shall be submitted to the contractor and Commission Staff either within three days of inspection, or prior to the next storm event, whichever is sooner. All breeches or deficiencies shall be forwarded to a contact individual, as defined above, immediately after inspection. The costs of said inspections to be borne by the applicant.**
- 7. Throughout the course of conducting construction 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.**
- 8. The permit shall expire on May 19, 2025.**

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

**2. Request for Determination
Carol Caley, LLC
South Meriden Road, Colton Lane
11 Lots**

**RFD 2020-007
DOR 5/19/20**

Ted Hart, PE from Milone and MacBroom was present on behalf of the applicant.

Mr. McPhee joined the meeting at 7:37 pm.

Ms. Simone reviewed a letter dated March 26, 2020 from Ryan McEvoy, PE from Milone and MacBroom regarding the proposed activities.

Per the letter detailed provide here: the proposal is for a 17.7-acre parcel to be subdivided into 11 lots. The parcel is currently designated as a building lot. The 11-lot subdivision will include approximately 950 feet of roadway construction. The property as a whole contains wetland areas along the rear property line, approximately 120 feet from where any proposed improvements are shown as part of this resubdivision. As a result, there are no impacts within any wetlands or within any 50-foot regulated upland review areas; they are requesting a determination to see if a wetlands permit is needed.

Mr. Hart addressed the Commission and explained that the plan is to extend the cul-de-sac at Coleton Lane – the new lots are proposed off the extension.

The plans for the subdivision were presented so Commission members could visually see that was being proposed.

Mr. Hart explained there were only two lots remotely close to the wetlands (lots 8 & 9) there is no wetland disturbance – there is no upland disturbance and the closest disturbance is over 120' away from the wetlands; lots 8 & 9 have wetlands down to the southernly portion of the lot (they are oversized lots) and there's a great distance from the wetlands and the disturbance; they have also shown markers around the wetlands; all the road drainage does in different direction so there is really very little drainage.

Mr. Hart reviewed plan set page SP-2 showing the two lots 8 & 9 have wetlands on them – showing the wetlands over 120' away – they do show the wetland demarcation lines; there's zero increase in runoff to the wetlands and from all points on the site; there's an erosion control plan.

Mr. Hart stated they are asking for a wetland determination.

Dr. Dimmick said he knows this area and had no objection; he spoke about concerns voiced by Mr. Waz of the Meriden Water Department previous concerning the septic systems.

Mr. Hart stated they are quite away from the reservoir; they (the systems) are all designed according to the state health code.

Ms. Simone asked about the limit of clearing (on the parcel) and if there was a plan showing the limit of clearing.

Mr. Hart said he did not think they had that (a plan showing the limit of clearing) and confirmed the markers (limit of clearing) are shown.

Motion: That the Commission after seeing the plans has determined the wetland impacts are de minimis, therefore a permit will not be required from this Commission.

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

3. Permit Application	APP 2020-007
Carol Caley, LLC	
South Meriden Road, Colton Lane	DOR 5/19/20
11 Lots	

Mr. Hart requested the withdrawal of the application.

VIII. NEW BUSINESS

1. Permit Application	APP 2020-008
Bartosz & Catherine Grala	
Coleman Road	DOR 5/19/20
Site Plan	

Ms. Simone stated this application was on the agenda tonight to acknowledge the receipt of the application and the date of receipt would be today, May 19, 2020.

New permit application since the agenda was sent out:

2. Permit Application	APP 2020-009
Lamp Realty, LLC	

**CHESHIRE INLAND WETLANDS
REGULAR MEETING**

MAY 19, 2020

**Hazel Drive
Site Plan**

DOR 5/19/20

Ms. Simone stated a new application was received for a site plan on Hazel Drive for 114 units.

Ms Simone noted the date of receipt for this application would be May 19, 2020.

Ms. Simone agreed to gather permit application materials for the Commission's review for the next meeting.

IX. ADJOURNMENT

The regular meeting was adjourned at 7:47pm by consensus of Commission members present.

Respectfully submitted:

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