

**CHESHIRE INLAND WETLANDS AND WATERCOURSES COMMISSION
REGULAR MEETING
TUESDAY, JANUARY 3, 2012
84 SOUTH MAIN STREET
TOWN HALL ~ COUNCIL CHAMBERS**

***** The recorded meeting was inaudible due to equipment malfunction. Minutes prepared from the recording secretary's notes, written correspondence and information from submitted reports*****

Members present: Robert de Jongh, Matthew Bowman, Earl Kurtz, Kerrie Dunne (at 7:31 p.m.), Charles Dimmick, and Sheila Fiordelisi.

Members Absent: Will McPhee

Staff: Suzanne Simone

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

All present recited the pledge of allegiance.

III. ROLL CALL

Ms. Dunne called the roll.

Members in attendance were Robert de Jongh, Matthew Bowman, Earl Kurtz, Kerrie Dunne, Charles Dimmick, and Sheila Fiordelisi.

IV. DETERMINATION OF QUORUM

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

V. APPROVAL OF MINUTES

**Public Hearing – November 15, 2011
Regular Meeting – November 15, 2011
Site Walk – November 18, 2011
Public Hearing – December 6, 2011
Regular Meeting – December 6, 2011**

Commission members agreed to defer the approval of the minutes was to end of the meeting.

At 9:20 p.m.

Motion: To approve the minutes of the November 15, 2011 public hearing and regular meeting, the November 18, 2011 site walk, the December 6, 2011 public hearing and regular meeting with corrections as noted.

November 15, 2011 Public Hearing – No corrections.

November 15, 2011 Regular Meeting – pg. 6 L45 delete ‘not’; pg. 10 L23 after ‘actually’ add ‘came’; pg. 12 L29 ‘renascent’ to ‘reluctant’, L44 delete ‘be’; pg. 13 L20 ‘shits’ to ‘shifts’; pg. 14 L40 ‘ever once and a while’ to ‘every once in a while’; pg. 16 L31 ‘are’ to ‘area’; pg. 18 L6 after ‘standing’ add ‘water’; pg. 18 L38 should read ‘in with’, L45-46 ‘their’ to ‘they’re’ and ‘brining’ to ‘bringing’; pg. 19 L43 ‘there for’ to ‘therefore’; pg. 20 L6 ‘their’ to ‘they’re’; pg. 22 L16 ‘perimeters’ to ‘parameters’.

November 18, 2011 Site Walk - No corrections.

December 6, 2011 Public Hearing – No corrections.

December 6, 2011 Regular Meeting – pg. 2 L 39 ‘Woodbridge’ to ‘Woodridge’; pg. 4 L 7 ‘informal’ to ‘informational’; pg. 9 L42 add ‘For the house immediately to the north of this house a’ before ‘permit’; pg. 12 L7 delete ‘is a’ and after ‘watercourse’ add ‘has a watershed of’, L8 delete ‘with’, L9 ‘is’ to ‘has’ ; pg. 13 L37 ‘if’ to ‘he’; pg. 14 L14 ‘soils’ to base map’

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

V. ELECTION OF OFFICERS

Chairman de Jongh opened the meeting up for the election of officers.

Dr. Dimmick nominated Robert de Jongh as chairman.

Mr. Bowman seconded the nomination.

Dr. Dimmick moved to close the nominations for chairman.

Mr. Bowman seconded.

Commission members present unanimously approved the nomination of Robert de Jongh as chairman.

Mr. Bowman nominated Charles Dimmick as vice-chairman and Kerrie Dunne as secretary.

Ms. Fiordelisi seconded the nomination.

Mr. Bowman moved to close the nominations for vice- chairman and secretary.

Ms. Fiordelisi seconded.

Commission members present unanimously approved the nomination of Charles Dimmick as vice-chairman and Kerrie Dunne as secretary.

The election of officers nominations were closed by the censuses of Commission members present.

VII. COMMUNICATIONS

- 1. Request for Determination Letter from MMI
Re: South Meriden Rd./Oregon Rd. Subdivision**

Commission members reviewed this communication. This item is on the agenda under new business.

- 2. Bond Release Request
Pulte Homes – Cheshire Crossing, Wallingford Rd.**

Commission members reviewed this communication. This item is on the agenda under new business.

- 3. 1392 Cheshire Street – Soil Scientist Report**

Commission members reviewed this communication. This item is on the agenda under unfinished business.

- 4. 1392 Cheshire Street – Soil Scientist Report Addendum**

Commission members reviewed this communication. This item is on the agenda under unfinished business.

- 5. Letter to Ms. Gaye Barnett
Re: 1392 Cheshire Street IWWC Application**

Commission members reviewed this communication. This item is on the agenda under unfinished business.

- 6. Request for Determination Letter from Fuss & O'Neill
Re: 500 Knotter Drive**

Commission members reviewed this communication. This item is on the agenda under new business.

- 7. Wetland Determination for Country Club Rd., Bridge Channel Work**

Commission members reviewed this communication.

8. Wetland Determination for 1392 Cheshire Street, Demo & Reconstruction of House

Commission members reviewed this communication. This item is on the agenda under unfinished business.

9. Wetland Determination for 435 Highland Ave., Construction of an Office Complex

Commission members reviewed this communication.

10. Wetland Determination for 382 South Main Street, Permit Modification for IWWC Application #2011-016

Commission members reviewed this communication. This item is on the agenda under new business.

11. Application Narrative from Dante A. Pasqualoni, III, Application # 2012-002, Future Maintenance of Pond at 815 Allen Avenue

Commission members reviewed this communication. This item is on the agenda under new business.

12. Staff Report Re: Application #2011-025, 1392 Cheshire Street

Commission members reviewed this communication. This item is on the agenda under unfinished business.

13. Staff Report Re: Bond Release for Cheshire Crossing, Wallingford Rd.

Commission members reviewed this communication. This item is on the agenda under new business.

14. Engineering Comments Re: Stop & Shop Gas Station, 490 West Main St.

Commission members reviewed this communication. This item is on the agenda under new business.

15. Engineering Comments Re: Site Plan, 1392 Cheshire St.

Commission members reviewed this communication. This item is on the agenda under unfinished business.

16. Staff Inspection Follow-up Re: Cheshire Crossing, Wallingford Rd.

Commission members reviewed this communication. This item is on the agenda under new business.

Communication distributed to Commission members at tonight's meeting:

17. Letter to CIWWC dated December 28, 2011 from Attorney Joan Molloy regarding request for fee waiver for Verna Properties, LLC resubmission of application.

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

**18. Correspondence from City of Meriden dated December 30, 2011
Re: 650 Reservoir Road – Welch Property Subdivision**

Commission members reviewed this communication.

**19. Correspondence dated October 24, 2011 from Sharon Brownridge
Re: 175 Weise Road pond level**

Commission members reviewed this communication.

Ms. Brownridge stated in her letter that that the pond level would not be changed without obtaining the required permits and approvals from the Cheshire Inland Wetlands and Watercourses Commission.

**20. Regional Water Authority letter from Ron Walters dated December 28, 2011
Re: 175 Weise Road Project**

Commission members reviewed this communication.

21. Comments from Russ White of Meriden, CT Re: Sindall Brook Modifications

Mr. White addressed the Commission. He informed the Commission that he had spoken to Director of Public Works and Engineering Joe Michelangelo regarding the Sindall Brook modifications. He said he was told that it was just a matter of sizing the pipe then the work could commence.

Mr. White expressed his concerns that nothing yet had been done to correct the problems. He stated he wanted it put on the record at tonight's meeting that he wants the situation corrected.

Ms. Simone stated that the Public Works is handling the Sindall Brook modification project. She said Public Works would be contacted regarding Mr. White's concerns.

Chairman de Jongh informed Mr. White that the Inland Wetlands approved a permit for the Sindall Brook modifications but they have no control over when the project would take place.

Chairman de Jongh requested that staff talk to Mr. Michelangelo about this issue and get back to Mr. White,

Dr. Dimmick noted for the record that the Commission has no input as to what the Town of Cheshire does with their projects.

VIII. INSPECTION REPORTS

1. Written Inspections

Ms. Simone noted the written inspections were covered under communications.

2. Staff Inspections

No information available regarding staff inspections.

IX. ENFORCEMENT ACTIONS

1. Unauthorized Activities in a Regulated Wetland Area SC 5/04/10 Dr. Robert Henry and Maria Passaro-Henry 12 Mountaincrest Drive

Chairman de Jongh stated this item would remain on the agenda for informal purposes only.

X. UNFINISHED BUSINESS

| | | |
|------------------------------|------------|------------------|
| 1. Permit Application | APP | #2011-024 |
| Kathie A. Welch | DOR | 12/06/11 |
| Reservoir Road | FT | 12/10/11 |
| Resubdivision | MAD | 2/09/12 |

Chairman de Jongh stated that a field trip of this site was held on December 10, 2011 – there were not minutes taken on the field trip. He noted that he, Ms. Fiordelisi, and Dr. Dimmick were in attendance.

Mr. Bowman stated that although he did not attend the field trip he had been on the site previously.

Comments dated December 30, 2011 from Paul Kopek, Assistant City Engineer of the City of Meriden were entered into the record.

The Commission discussed the need to declare significance on this application.

Motion: To declare the application significant within the context of the Commission's regulation specifically section 10.2 a and c.

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

A public hearing was set for Tuesday, January 17, 2012 at 7:30 p.m.

Further action on this item would be deferred pending the outcome of the public hearing.

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| 2. | Permit Application | APP | #2011-025 |
| | House 2 Home Construction, LLC. | DOR | 12/06/11 |
| | 1392 Cheshire Street | FT | 11/18/11 |
| | House Demolition and Reconstruction | MAD | 2/09/12 |

Transcribed from recording secretary notes and submitted correspondence.

John Gable, PE of CT Consulting Engineers, LLC and Eric Davison, professional wetland scientist and registered soil scientist from East Haddam, CT were present on behalf of the applicant. Gaye Barnett from House 2 Homes Construction, LLC was also present.

Mr. Gable addressed the Commission. He reviewed the plans with the Commission.

Mr. Gable reviewed with the Commission the current location of the present home and the proposed location of the proposed home. He explained that the proposed home would be served by city water and city sewer. There would be 1,800' of disturbance.

There was discussion regarding the increase in the foot print size increased – the applicant would have to go before the Zoning Board of Appeal to request a variance to increase the foot print of the house.

Eric Davison presented his findings regarding the soils on the subject site. He explained that the soils don't meet the criteria for wetlands and the area does not meet the watercourse criteria – it does not have a bank or defined channel.

In a letter was entered into the record: Mr. Davison states in his letter that the wetlands were delineated on November 22, 10011 and the upper 20' of the soil profile were examined with a spade and auger. The soils on the site consist of Raynham soils that are very deep poorly drainage soils) and Aquents (margins of the wetland which borders the home were historically disturbed via grading and shallow filling – less than 2') soils.

The non-wetland soils were not examined in detail except as was necessary to identify the wetland boundary. Those soils consist of Belgrade as well as Udorthents soils.

The letter from Mr. Davison also included a wetland flagging sketch showing the approximate wetland boundary and house location.

Staff had submitted a memo to the Commission dated December 28, 2011 providing details of the application and permit history for 1392 Cheshire Street, neighboring IWWC permit history, Carriage House Commons IWWC history, and a staff analysis.

The memo does state that the applicant's revised plan shows an expansion on the south side of the proposed house. According to the submitted site plan, the expansion will be 36' from the designated wetland (at wetland flag #8) at its nearest point.

Staff also informed the applicant that the soil scientist needed to sign the site plan; they are required to notify the CT Natural Diversity Database, Regional Water Authority and Public Health Department.

The plan also needs to show a demolition sequence and additional details regarding this activity.

The Engineering Department has completed is review and questions whether there is an increase in proposed impervious surface.

There was discussion about the pond; the pond is a fluctuating pond and is not a vernal pond.

Dr. Dimmick said he looked at the soils – they appeared to be wetland soils but not by delineation.

Mr. Davison talked about the site being highly disturbed.

There was discussion about the large amount of water on the site after a heavy rainfall.

It was noted that the water would be accommodated for in the construction phase.

Chairman de Jongh said he had an issue with the water issue and talked about the north east side of the property being very wet.

Chairman de Jongh said he was concerned that there will be no backyard for this house and about the very high ground water levels.

Mr. Davison stated there are water issues on this site and the bordering site. He said that he sees this project as a redevelopment of a dilapidated site/home where there is an opportunity to go in and make improvements.

Dr. Dimmick asked how Mr. Davison would rank the wetlands.

Mr. Davison said after your get out of the developed area, to looks like a healthy wetland.

Dr. Dimmick said then maybe they would need protection around d the wetland.

Chairman de Jongh talked about using the 122 contour line as a non-encroachment line – 10' in towards the house as a contour line.

The Commission discussed their concerns about the wetlands, the large amount of water on this property at times, water on adjacent properties, the need for a non-encroachment line to be place in the deed of the property and markers to be place on the subject parcel, the foot print and the increase in the size of the proposed home, and the setback line.

It was noted that the fill on the site was there for about 75 years - since the house was built in the 1940s.

The Commission discussed the drainage piping of the area.

Mr. Bowman asked if the home was above the road.

Mr. Gable stated that the house and garage were both above the road at the 124 and 125 contour lines.

Ms. Simone asked about the outfall of the direct discharge at the 8' contour.

Mr. Gable stated that there was a 4" overflow pipe discharging to the wetlands.

Mr. Gable stated that the sewer lateral depth still needed to be verified in the field.

Mr. Bowman asked if more impervious surface would be added as part of the proposal.

Mr. Gable stated yes – the impervious surface would be increasing.

Ms. Dunne asked about the demolition sequence for the removal of the existing home.

Mr. Gable stated that demolition details still needed to be added to the plans.

The Commission was in receipt of a letter to Conrad Kuzmick of CT Consulting Engineers date November 22, 2011 from Eric Davison the wetlands at the subject site.

Gaye Barnett explained to the Commission that the house location will be moved 40' back and not 20' to comply with Zoning regulations; the applicant will be asking for 7' over the building line.

Chairman de Jongh said during the site walk the back yard was flooded after a rain storm and the wetland flag was in the middle of a large ponded area on the site.

Chairman de Jongh stated the Commission needs to look at all the details presented and will need additional information from the applicant regarding some of the outstanding items discussed.

Chairman de Jongh stated that language would need to be placed on the record as to what can be used as backyard area and 4 by 4 markers would need to be installed to clearly mark the area.

Ms. Simone suggested that plantings could be added since the wetlands are good quality.

The Commission stated that the applicant needed to provide more details regarding the items discussed tonight. The wanted details including but not limited to the increase in the foot print of the proposed home, the building line setback variance request, the establishment of the non-encroachment line, the language that is to be placed on the deed, the area to be used as backyard area, a buffer area, and details regarding the sewer lateral depth.

The Commission agreed to defer further action on this item pending the submission of additional information and engineering comments.

XI. NEW BUSINESS

- 1. Request for Determination
Sunrise Land Associates, LLC
South Meriden Rd/Oregon Rd
Subdivision**

Ms. Fiordelisi recused herself at 8:18 p.m. from this portion of the meeting stating that she has a financial interest in this matter.

Darin Overton, PE of Milone and MacBroom was present on behalf of the applicant Sunrise Land Associated, LLC.

Mr. Overton explained to the Commission that he was before the Commission tonight for a request for determination and that an application has been submitted as part of a contractual requirement.

Mr. Overton said based on his review of the proposed project he did not think the proposed activity would require a wetlands permit.

Mr. Bowman, who lives at 815 Oregon Road asked Mr. Overton id the drainage from the proposed activity would be going onto Oregon Road.

Mr. Overton stated yes – runoff and stormwater would be directed to Oregon Road.

At this point in the meeting, Mr. Bowman recused himself (at 8:20 p.m.) as he is owns the property across the street at 815 Oregon Road. He stated he would have concerns if there was water flow exiting the property onto Oregon Road.

Mr. Overton gave a project overview. He explained that there were .6 acres of wetlands on the property.

The wetlands were delineated and field surveyed by Milone and McBroom. Copies of the site plan and inland wetlands delineation report for the project were submitted for the record.

In a letter dated December 9, 2011 letter to Chairman de Jongh from Matt Ducsay, PE he explained that there are no wetland soils mapped by the USDA-NRCS on the subject site although a field survey of the property located a narrow wetland tough and intermittent watercourse that originates mid-slope just west of the Algonquin Gas ROW and ends at the reservoir east of the subject site.

There are no direct impacts proposed to this wetland feature nor any impacts in the associated 50' inland wetland upland review area.

Mr. Overton said the proposed houses are between 130' to 150' away from the wetlands and that there was no activity in the regulated area.

The Commission reviewed the plans.

Mr. Overton explained that there are two gas mains that run through the area and four lots are within the watershed.

Mr. Overton reviewed the drainage plan with Commission members. He stated that the plan does not increase the drainage; he said the proposed plan does try to mimic existing runoff conditions.

Mr. Overton stated that the average lot sizes are about 2.8 acres and the parcel is located in an R-80 zone.

Mr. Overton talked about the site being partially sand and gravel.

Chairman de Jongh asked about the neighbors to the north and if they would be impacted by any runoff from the site.

Mr. Overton stated no – they would not. He stated that they have not received comment from the City of Meriden on the proposed activity.

Dr. Dimmick stated in his opinion nothing significant was being proposed.

Chairman de Jongh stated that his concern is for the neighbors to the north of Oregon Road.

Mr. Kurtz asked if Mr. Overton's presentation regarding the proposed activity could be back-up with engineering comments or were his comments just general comments.

Mr. Overton explained that he was an engineer and that all the reports and calculations submitted were prepared by engineers, a soil scientist walked the property and submitted his report; Chesprocott has approved all the lots for septic and well layouts.

Commission members received copies of the reports submitted to the Wetlands office regarding the proposal. The reports provide all the details presented by Mr. Overton regarding the project.

Ms. Simone said that if anything in the plans were to change then the applicant would have to come before Inland Wetlands are their review and approval.

Commission members discussed what information needed to go on the record as part of their determination. The Commission wanted to make sure what the plans proposed would be what would be occurring and that if changes to the proposed plan were made those changes would have to come before the Commission for their review.

Ms. Dunne asked about the water infiltration system.

Mr. Overton reviewed the septic testing results with Commission members.

Chairman de Jongh said his concerns were that the project details being proposed would be made part of the record and that town department that needed to approved the proposed project details.

Mr. Overton stated that everything regarding this project has been or will be reviewed by town departments. He assured the Commission that everything presented including the reports reviewed will be made part of the record. He stated that all information presented will also be subject to Planning and Zoning review and will be made part of the P&Z record.

Ms. Simone stated that the town engineering department has not yet provided comment but when they do she would provide those comments to Commission members.

Mr. Kurtz asked if staff would review the project to make sure everything was in order and no issues needed to be reviewed by the Commission.

Ms. Simone agreed to review the proposed project details and report back to the Commission.

The Commission discussed deferring action on this item pending further review of the submitted plans and reports.

Motion: To defer action on this item to the January 17, 2012 meeting.

Moved by Dr. Dimmick. Seconded by Ms. Dunne. Motion approved 4-0-2 with Ms. Fiordelisi and Mr. Bowman not being present for the vote.

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| 2. Permit Application | APP | #2012-001 |
| Sunrise Land Associates, LLC | DOR | 1/03/12 |
| South Meriden Rd/Oregon Rd | | |
| Subdivision | MAD | 3/08/12 |

Darin Overton, PE of Milone and MacBroom was present on behalf of the applicant Sunrise Land Associated, LLC.

There was discussion about the need to accept the application at tonight's meeting in case the Commission finds at the next meeting that the proposed project requires an application.

Mr. Overton stated earlier that due to contractual requirements the proposed project needed to have an application submitted and approved by the Commission tonight if it was determined that in fact an application was needed.

The Commission and Mr. Overton discussed the acceptance of the application tonight and if the Commission finds at the next meeting no application is required then the applicant could require that application fee be returned.

Motion: To accept the application.

Moved by Dr. Dimmick. Seconded by Mr. Kurtz. Motion approved 4-0-2 with Ms. Fiordelisi and Mr. Bowman not being present for the vote.

Chairman de Jongh stated that further action on this item would be deferred pending further review.

Mr. Bowman returned to the meeting at 8:40 p.m.

Ms. Fiordelisi returned to the meeting at 8:42 p.m.

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| 3. | Permit Application | APP | #2012-002 |
| | Dante Pasqualoni | DOR | 1/03/12 |
| | 815 Allen Avenue | | |
| | Pond Maintenance | MAD | 3/08/12 |

Dante Pasqualoni of 815 Allen Avenue was present.

Mr. Pasqualoni distributed photos of the site for Commission members review.

Mr. Pasqualoni explained that the Town had hired a company to do the original work but now he wants to conduct pond maintenance of his own and at his own expense to do the maintenance that is needed to restore the pond area.

There was discussion about the cattails surrounding the pond.

Mr. Pasqualoni stated that there are few cattails remaining now it's just phragmites which he is proposing to remove by hand.

Mr. Pasqualoni had submitted a letter to the Commission dated December 23, 2011 requesting permission for present and future maintenance of the wild life pond located at 815 Allen Avenue. In the letter, Mr. Pasqualoni stated that the Town of Cheshire recently completed the restoration of the pond on his property.

Mr. Pasqualoni explained to the Commission that he wanted to remove several of the fallen trees that are presently in the pond. The trees fell into the pond due to the October 2011 northeaster snow storm.

Mr. Pasqualoni also stated that he wanted to remove the invasive plants specifically the phragmites as they sprouts on the ground surface with underground tubers.

Mr. Pasqualoni stated in his letter that he wanted to install a 4' wide commercial grade agricultural black burlap weed mat on embankment to waterline which was just excavated and cover weed mat with 3" to 6" stone for erosion control. He explained that this

work would be similar to what was done on the Sindall Brook embankments at 815 Allen Avenue using smaller stone.

Mr. Pasqualoni also stated in his letter that he wanted permission to mow the pond embankment as needed and install shrubbery plantings on the embankments with mulching.

Ms. Simone asked Mr. Pasqualoni about the removal of the phragmites and how he was going to distinguish between the phragmites from the cattails.

Mr. Pasqualoni said he was going to have to do some research first so he would know which young plants were the cattails and which were phragmites.

Mr. Pasqualoni said he will only do work that is approved by the Commission and nothing outside the limits they approve – he stated he does want to install fabric along the banks if permitted to prevent the phragmites from growing there.

The Commission reviewed Mr. Pasqualoni application and discussed the need to protect the bank, the pond and the wild life vegetation.

The Commission also discussed not wanting to give an open ended permit because they wanted to make sure they had some oversight of the pond maintenance.

Chairman de Jongh said he was concerned about allowing for an open-ended permit allowing for maintenance without the opportunity for periodic updates – he said he did not want to approve a blanket permit approval.

Mr. Bowman commented about the fact that Mr. Pasqualoni could come back before the Commission every 2-5 years with a pond maintenance update.

The Commission discussed the need to have both Wetlands and Public Works Department informed as to the maintenance updates but the oversight of the maintenance remain with Wetlands.

Chairman de Jongh said in his opinion it was important to keep the Commission involved with the maintenance updates.

Ms. Simone said since Public Works has the permit to clean the area out notification will be sent to Public Works to be consistent.

Motion: To accept the application.

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

Motion: To declare the proposed activity not significant within the context of the Commission's regulations based on the fact that proposed activity is part of an on-going permitted activity.

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

Further action on this item was deferred pending staff review and recommendation.

- 4. Request for Bond Release
Pulte Homes – Cheshire Crossing
Wallingford Rd.**

Motion:

That the Cheshire Inland Wetlands and Watercourses Commission has considered the request for bond release by Tony Schumann on behalf of Pulte Homes for sedimentation and erosion control bond and water quality monitoring bond stipulated as part of IWWC Permit #2002-069, and finds the following:

That staff has inspected the area and verifies that all areas are generally stabilized and all conditions of the permit grant have been generally met.

That staff has received copies of sedimentation and erosion control inspection reports dated May 19, 2005 to May 18, 2011.

Therefore, the Commission grants the bond release request by Tony Schumann on behalf of Pulte Homes for the sedimentation and erosion control bond and water quality monitoring bond as stipulated in permit #2002-069.

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

- 5. Request for Determination
Pratt & Whitney
500 Knotter Drive
Stormwater Outfall Maintenance & Restoration**

Jonathan Curina, Senior Environmental Engineer with Fuss and O'Neil was present on behalf of the applicant.

Mr. Curina addressed the Commission. He explained that he was before the Commission for a request for determination for proposed stormwater outfall maintenance and restoration at Pratt & Whitney located at 500 Knotter Drive.

The Commission reviewed the plan for the proposed activities.

Mr. Curina stated in his letter to staff dated December 28, 2011 that the proposed activity, in his opinion and based on the details provided, does not require a wetlands permit.

Mr. Curina reviewed the proposed project with Commission members.

The proposed maintenance activities would be performed on the outfall designated as discharge point 004 as shown on the plans. Stormwater runoff on the south entrance driveway that enters two catch basins and discharges via a 15" reinforced concrete pipe (RCP) into a swale designated as a wetland area.

The swale runs from west to east along the southern extent of the site. Over time, sediment within the stormwater drainage system has accumulated and deposited both within the pipe and at the outfall. As a result, the drainage system is not as effective in treating and conveying stormwater.

The goal of the proposed maintenance activities is to clear the pipe and remove the sediment that has built up at the outfall. As a result, the drainage system is not as effective in treating and conveying stormwater. The goal of the proposed maintenance activities is to clear the pipe and remove the sediment that has built-up at the outfall.

Mr. Curina's letter outlined the proposed maintenance activities – they include flushing the 15" RCP with high pressure water, capturing and removing the sediment; removing the sediment which has built up around the outfall of discharge 004 within the swale. The sediment would be removed by a back-hoe/shovels and transported offsite for proper disposal.

The letter also states that environmental impacts associated with the proposed maintenance activities will be mitigated through the

installation of erosion control measures which would include a sediment check dam consisting of silt fence and hay bales on the down – stream side of the proposed activities.

After review of the information presented the Commission determined a wetlands permit was not needed for the proposed activity.

Motion: That the proposed activity for stormwater outfall maintenance and restoration does not require a permit.

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

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| 6. | Permit Application | APP | #2012-003 |
| | Gas Development Cheshire, LLC | DOR | 1/03/12 |
| | 490 West Main Street | | |
| | Redevelop Existing Gas/Service Station & Car Wash | MAD | 3/08/12 |

Attorney Edward Hill was present on behalf of the applicant. Taylor Dowdy and Dean Gustafson of Vanasse Hangen Brustlin, Inc. were also present on behalf of the applicant.

Attorney Hill addressed the Commission. He informed the Commission that the proposed activity was for the redevelopment of an existing gas station/service station and car wash located at 490 West Main Street. The proposed plan is for a Stop & Shop gas station.

The property is located just east of the canal and former railroad tracks.

The Commission reviewed the plans submitted for the proposed activity.

Mr. Dowdy gave a presentation of the proposed activity. He explained that the site currently is the location of an existing 3 pump gas station and car wash.

Mr. Dowdy talked about the three catch basins on the site are silted over – the proposed plan calls for the install of three new catch basins.

Mr. Dowdy talked about the discharge point for the runoff from the canopy and hoods covering the gas pumps – the runoff would be discharged into the Farmington Canal.

Mr. Dowdy said the project calls for a long term maintenance and management plan.

Mr. Dowdy said there is no grade depression in the rear of the site – it is a model area; the runoff would go to the right side of the property.

There would be no increase in proposed versus current water flows.

Dean Gustafson, consulting soil scientist of VHB, Inc. addressed the Commission. He informed the Commission he originally got his start with Mr. Ken Stevens.

Mr. Gustafson explained that there were no wetlands on the site but that the Farmington Canal was in close proximity.

Mr. Gustafson said the north side of the site did have wetlands at some point in time before the initial development of the site.

Mr. Gustafson discussed the discharge pipes and the culvert reconstruction project taking place on West Main Street.

Mr. Gustafson talked about the wetlands system, the disturbance and development along the Farmington Canal and activity within the Willow Brook Watershed. He also explained that notice was sent to Regional Water Authority for comment and that there were no Natural Diversity Database endangered species on the site.

Mr. Gustafson said no work would take place in the wetlands and quality improvements would be made to the discharge going into the Farmington Canal; the buffer zone would be improved as part of the project.

Dr. Dimmick asked if they would be removing the existing tanks.

Mr. Taylor stated that yes – the old tanks would be removed and new tanks installed.

Dr. Dimmick asked if there was soil testing done around the tanks to see if there were any hot spots.

Mr. Taylor said there were some possible hot spots; he said that if any reportable conditions were found they would follow the DEP guidelines for clean-up and removal.

Mr. Bowman said there was a clean-up of this site previously.

Chairman de Jongh asked about the reduction in impervious surface – he asked what would happen to the remaining black top.

Mr. Gustafson stated that the removed black top would be removed from the site.

Mr. Taylor said the site high ground water level.

There was discussion about the State’s culvert replacement project.

Mr. Bowman stated that the State culvert replacement project would be completed in Spring 2012 – he said this project is part of the West Main Street Streetscape Project which he is the chairman of that committee.

Ms. Simone stated that the Engineering department has not yet made comment on the proposed activity but if comments are made they would be provided to the applicant and the Commission.

Motion: To accept the application.

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

Motion: To declare the proposed activity not significant within the context of the Commission’s regulations.

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

Further action on this item was deferred pending staff review and recommendation.

| | | | |
|-----------|------------------------------|------------|------------------|
| 7. | Permit Application | APP | #2012-004 |
| | Verna Properties, LLC | DOR | 1/03/12 |
| | Wiese Road | | |
| | Subdivision | MAD | 3/08/12 |

Attorney Joan Molloy of Loughlin & Fitzgerald from Wallingford, CT was present on behalf of the applicant. Gerald Verna, one of the principals of Verna Properties, LLC was also present.

Attorney Molloy addressed the Commission. She reviewed the history of the previous application submission and she talked about the reasons for the withdrawal of the first permit application for the proposed activity.

Attorney Molloy explained that this new application is similar to the previous application submission but this new application addresses the concerns and comments made during the first application process.

Attorney Molloy said the proposed activity is for a 9 lot subdivision located on Weise Road. The proposal provides for a conservation easement, a demo plan, a forthcoming report from Penny Sharp and the engineer had to change the direction of the cul-de-sac loop. The project engineer is working on addressing drainage concerns.

Attorney Molloy stated that a letter was sent to the Commission dated December 28, 2011 requesting that the commission waive the application fee for the resubmittal. The applicant is prepared to pay the public hearing fees associated with a new public hearing on this application.

The Commission reviewed the plans for the proposed activity.

Mr. Bowman asked about the location of the pond on the subject parcel.

Attorney Molloy showed on the plans the location of the pond relative to the project site.

Motion: To accept the application.

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

Motion: To declare the proposed activities significant within the context of the Commission's regulations specifically section 10.2 (and for the reasons stated in the first application submission).

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

Motion: That the Commission waives the application submission fee as requested by the applicant.

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

A public hearing on this application was set for Tuesday, January 17, 2012 at 7:30 p.m.

Further action on this item was deferred pending the outcome of the field trip.

XII. ADJOURNMENT

The meeting was adjourned at 9:24 p.m. by the consensus of Commission members present.

Respectfully submitted:

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