

**CHESHIRE INLAND WETLANDS AND WATERCOURSES COMMISSION
REGULAR MEETING
TUESDAY, FEBRUARY 21, 2012
TOWN HALL 84 SOUTH MAIN STREET
COUNCIL CHAMBERS
AT 7:30 PM**

Members present: Robert de Jongh, Charles Dimmick, Sheila Fiordelisi and Kerrie Dunne.

Members absent: Earl Kurtz and Will McPhee. Matt Bowman is no longer a member of the Commission.

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, Charles Dimmick, Sheila Fiordelisi and Kerrie Dunne.

IV. DETERMINATION OF QUORUM

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

V. APPROVAL OF MINUTES Public Hearing – February 7, 2012
Regular Meeting – February 7, 2012

The approval of the minutes was deferred to the end of the meeting without objection.

Motion: To approve the minutes from the February 7, 2012 Public Hearing with no corrections and February 7, 2012 Regular Meeting minutes with corrections.

Pg. 6 L11 “to the plan”; L13 “grades” to “gardens”; L31 delete “act”; L40 “in” to “to”; Pg. 8 L29 “medication” to ‘modified’; pg. 9 L18 “medication in” to ‘modification is’; L37 “imagine” to “image; Pg. 10 L18 “effects” “affects”.

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

From the February 7, 2012 Meeting Minutes:

Motion: That the Commission approves the minutes of January 17, 2012 Regular Meeting with corrections.

Pg. 2 L6 “type” to “tape”; L17 “say” to “said”; Pg. 8 L35 “Mr. Ducsay said the site”; L36 delete “being”; L42 “requesting a determination of”; Pg. 10 L22 delete “mythology implode – do the”.

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

VI. COMMUNICATIONS

- 1. Letter to Reverend Robert Ricciardi, St. Bridget’s Church
Re: Wetland Determination for Athletic Field Scoreboard**

This communication was reviewed.

- 2. Letter to Matt Ducsay, Milone and MacBroom, Inc.
Re: Wetland Determination for Richmond Glen**

This communication was reviewed.

- 3. Staff Communication: Re: Wiese Road, Richmond Glen Modification
Permit Application 2005-012C**

This communication was reviewed. This item is on the agenda tonight.

VII. INSPECTION REPORTS

- 1. Written Inspections**

Ms. Simone stated there were no written inspection reports.

- 2. Staff Inspections**

a. Elim Park

Ms. Simone explained that staff went out to Elim Park and they still have their erosion controls up and everything still seems to be fine in the Mill River area.

b. DeDominicis Property

Ms. Simone reported that staff did go out to the DeDominicis property today – she said there is some machinery and an old oil tank that has been dumped on the property. She said it appears as though it may be in the upland review area.

Ms. Simone said they would continue to work on that and talk with the administration to see who it would get removed.

VIII. 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 that this item would be kept on the agenda for monitoring purposes.

IX. UNFINISHED BUSINESS

- | | | |
|------------------------------|------------|------------------|
| 1. Permit Application | APP | #2012-004 |
| Verna Properties, LLC | DOR | 1/03/12 |
| Wiese Road | PH | 1/17/12 |
| Subdivision | PH | 2/07/12 |
| | MAD | 3/13/12 |

Chairman de Jongh stated that there was a recommendation from staff on this item:

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, previous 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 subdivision of a 13.58-acre property on Wiese Road (R-40 zone) into 9 housing lots served by a proposed 800-foot cul-de-sac roadway.
2. That the application was a subject of a public hearing in January and February 2012.
3. That the proposed lots will be served by public water and septic systems.
4. That the existing house and greenhouse shall be razed and the septic system properly abandoned per health department requirements.
5. That the applicant's consulting engineer stated in a December 28, 2011 letter that the soils on site are suitable for septic systems and provided additional information on percolation testing results, which was reviewed by the town engineering department.
6. That a conservation easement shall be established along the non-encroachment line for lots 5, 6, 7, 8, and 9 measured 40-feet from the delineated wetland line.
7. That the proposed construction activities will not have a significant adverse effect on the adjacent wetlands and watercourses.

Based upon the foregoing findings, the Cheshire Inland Wetland and Watercourses Commission conditionally grants CIWWC Permit Application #2012-004, the permit application of Verna Properties LLC for subdivision as presented on the plans entitled:

**"Pemberley Estates
Wiese Road, Cheshire, CT
Dated August 15, 2011; Revised: December 15, 2011
10 sheets, Scale As Noted
Prepared by Anthony J. Tranquillo, PE
Consulting Engineer, 111 Fox Run Dr., Southington, CT
06489".**

The permit is granted on the following conditions and stipulations, 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. Lots 5, 6, 7, 8 and 9 require individual site plan review and approval from the Cheshire Inland Wetlands and Watercourses Commission prior to any construction activities on these lots.**
- 4. Prior to any commencement of activities covered by this permit grant the applicant shall have the following items both completed by a qualified party and verified as complete by Commission Staff:**
 - a) the accurate staking and/or flagging of all clearing limits and buffers.**
 - b) the permanent marking of non-encroachment/conservation easement boundaries as referenced on the above referenced plans.**
 - c) the proper installation of all sediment and erosion controls indicated on the above referenced plans associated with the razing of the existing structure on lot 6.**

Commission Staff may insist on additions to items 4a-4c at any time if field conditions warrant them.

- 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 measures to prevent potential contamination of any wetlands or watercourses are taken during the razing and removal of existing structures, utilities, debris, and the like from the subject property.**

- b) 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.
- c) 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 grant shall expire on February 21, 2017.

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

2.	Permit Modification	APP	# 2005-012C
	Brodach Richmond, LLC	DOR	2/07/12
	210 Wiese Road		
	Drainage Modification	MAD	4/12/12

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

Mr. Ducsay addressed the Commission.

Mr. Ducsay said he wanted to start out by making one clarification – he said he had authored a letter which was entered into communications regarding this particular permit application.

Mr. Ducsay stated that at the last meeting he said they made the accidentally misrepresentation that the 2005 approval of this project contained a point discharge a point discharge at the location that is in question at this point.

Mr. Ducsay said that staff actually did some research and made the applicant aware that their files were disorganized and the actual 2005 approval plan is the one the Commission sees before them tonight.

Mr. Ducsay stated there is no point discharge in this location pointed to on the map – there is a grass swale leading down to that wetland finger.

Mr. Ducsay stated that in 2010 when this project came back after they had gone through the DEP approval process – they had made

some modifications to the plans and that 2010 approval is what the Commission sees in front of them tonight.

Mr. Ducsay said that does include that point discharge as well as the associated rain garden. He said now that the project is under construction – it's the desire of the applicant to remove the rain garden and extend that drainage discharge point to the edge of the existing trail that exists now – it's going to be abandon as part of this project – there is going to be some pavement left in place which will serve as a splash pad more or less.

Mr. Ducsay point to the discharge point is collecting to two catch basins which are located in the low point of the road – it's got a relatively small watershed area associated with it and again those will be collected and discharged to a new flared end section of the trail; that is depicted on the first plan.

The Commission reviewed the maps of the proposed property.

Mr. Ducsay said the plan the Commission sees before them is the plan that the applicant is seeking approval on – it is the plan that is subject of the permit application.

Mr. Ducsay said from the plan the Commission can see that the point discharge has essentially been extended to the edge of the existing paved trail and the rain garden is no longer – the flared end section and the existing trail is to serve as the apron at the discharge point.

Mr. Ducsay said the Commission will notice from the plans that the area as well as the entire site there is an established non-encroachment line and the proposed changes are all located outside of that existing non-encroachment line.

Dr. Dimmick asked Mr. Ducsay if he was sure about that.

Mr. Ducsay stated yes – the non-encroachment line is shown on the plans; it kind of hugs around the wetland and gets picked up back over in another location on the map; he said there has always been grading in the general vicinity for the units.

Mr. Ducsay stated that the non-encroachment line in this area is relatively close to the wetland and they can see that it kind of comes to a point back down to the property line and then gets picked up at another location (as shown on the plans).

Dr. Dimmick said another thing just to make sure he has this straight in his mind – he asked if these were detached condominiums.

Mr. Ducsay stated yes – age restricted detached, single.

Dr. Dimmick said so any change that was made subsequent to the applicant doing this would have to go through a homeowner's association.

Mr. Ducsay said that was made after the fact –

Dr. Dimmick said yes.

Mr. Ducsay said presumably the condo documents he would assume that it would have to go through the homeowners association as sort of change – he said he did not believe any units on site have been sold; he said he believed they have constructed one spec unit which is unit one.

Mr. Ducsay stated that the applicant is seeking to make this change prior to the construction of those particular units.

Dr. Dimmick said he wanted to sure that they are not in a situation where they have a homeowner wanting to change something because with that kind of a set-up it wouldn't happen.

Mr. Ducsay said that was right – he said that would not occur here and that is not the current situation.

Chairman de Jongh asked about the change to the discharge – he said the applicant is saying the discharge is going to close to the proximity to an old trail – he asked what was the distance from of the end of that discharge to that little wetland finger – how far away is that.

Mr. Ducsay stated it was approximately 15'.

Chairman de Jongh said so it's about 15' away so it's going to just directly discharge into the wetlands.

Mr. Ducsay said it's going to directly discharge via a flared end section to the trail there and then ultimately it will sheet flow to that wetland finger there.

Chairman de Jongh asked how wide the trail was.

Mr. Ducsay said the trail is approximately 6' to 8' wide and is currently paved. He said the trail is going to be abandoned – it's a trail that used to circumnavigate the site more or less – it was used for passive recreation and things of that sort. He said the trail would sort of demand off of the property in some locations and then back on to the property.

Chairman de Jongh what is was getting at was he wanted to know what kind of preventative measures were going to be there to prevent – you have stuff that is being discharged over a potentially black top so you have a safety issue i.e. ice but apart from that what's the protection relative to the discharge to filter that before it gets to the wetlands. He said he you've got black top there which is covering at least half of what's that distance is then all of a sudden how is it going to get filtered before that winds up going into the wetland.

Mr. Ducsay said it's going to be discharged - it's going to be a sheet flow – he said it is a relatively short distance of sheet flow from the discharge point to the wetlands. He said certainly they can incorporate 4' sumps into the catch basins of the Commission is worried about floatables and things of that sort.

Chairman de Jongh said he was just not crazy about a direct discharge close to the wetland – he stated that was his concern.

Mr. Ducsay said that was understandable. He asked if it was the erosive velocities that a concern.

Chairman de Jongh said if they are talking about sooner or later that black top is going to break down – he said just because over time if it's not going to be maintained its going to break down and it's going to go somewhere – so he was just concerned about suggestions or what ideas Mr. Ducsay might have in trying to make sure that the Commission's concerns about that discharge into the wetland would be mitigated.

Mr. Ducsay said he thought a possible solution would be the incorporation of a rip-rap splash pad possibly leading from the current discharge point – post discharge point down towards the wetland – if this Commission is ok encroaching upon that existing non-encroachment line they would certainly rip-rap down to the edge of the wetland from the proposed discharge point.

Dr. Dimmick said the map now shows a rip-rap pad at the end of the outlet.

Mr. Ducsay stated yes – the 2010 modified approved plan.

The Commission looked at the plans – the plan beginning proposed tonight and the older plan.

Mr. Ducsay reviewed the plans with the Commission to make sure they knew what plan was being proposed tonight.

Chairman de Jongh said he wanted to get to back to the 2010 approved plan in some way – he said he wanted Mr. Ducsay to be able to blend those two together; he said again he was only speaking for himself – but having at least that opportunity to try to break up whatever may come down prior to getting into the wetland.

Mr. Ducsay said he could give the approximately of the current proposed discharge point to the wetland – he said the best solution in that case would be to rip-rap from the edge of the wetland to that currently proposed discharge point – about 15' like he had mentioned previously.

Chairman de Jongh said that sounded fine.

Ms. Simone said there seems to be some confusion – if she could just clarify what was submitted in the staff review.

Ms. Simone said the first copy submitted shows what was approved in 2005 and there are some site plans that indicate this; in 2005 a grass swale was approved between units 6 and 7. She said the 2005 approval was then superseded in 2010 which is depicted on the next page that shows a drain pipe with a flared end section and a rain garden – the drain pipe and the flared end section are outside the non-encroachment line – you'll see the dashed line – the rain garden was proposed within the upland review area.

Ms. Simone explained that the following page is what's currently proposed – which is an extension to that drain pipe which will discharge directly out onto the a paved walking surface so it does not show a rip-rap splash pad on this.

Chairman de Jongh said so they've eliminated the rain garden, the splash pad and they are discharging directly onto the trail – to the abandon walkway.

Ms. Simone stated yes. She said what the Commission has in front of them – the large set – she opened it up to G-1 so they could see they continuity to the wetlands further to the south.

Ms. Simone said what is shown for wetland flag 23 and 24 – it is a finger that comes up north but it is part of a larger wetland system that you can see on G-1 because it is cut off on the way this is just laid out.

Chairman de Jongh asked where the splash pad would be – on what side – it would be on the north easterly side of that abandon walkway.

Mr. Ducsay said they would locate it right at the discharge point in the flared end section and then pretty much have it meander just down the 15' to the edge of the wetlands so it would essentially start where the paved trail is now – they essentially would be breaking up that existing pavement in order to situate the pad.

Chairman de Jongh said since it's an abandon trail he did not have a problem with that.

Mr. Ducsay said he did not see the applicant has any problem with ripping up that existing trail since there is no use for it and it's not part of any passive recreation associated with the site so the applicant is not averse to making that change.

Dr. Dimmick said he thought at this stage if they could get those changes into staff then they've got it narrowed down to what needs to be done.

Chairman de Jongh said he just had a concern about that change and it seemed to be a less desirable solution then what the applicant had in 2010.

Dr. Dimmick said he could understand that a discharge point right between two houses might be a disincentive to a potential purchaser.

Chairman de Jongh said what the Commission would like to see in terms of having additions to the map is having the inclusion of the rip-rap pad. He asked Mr. Ducsay to provide that to staff and then they could move forward on this at the next meeting.

Mr. Ducsay asked if it was possible to that could be incorporated as a condition of any approval – the revision that they are talking about – adding that rip-rap splash pad.

Dr. Dimmick said they could do that as a condition but they really needed to have that on some kind of a map or map addition or detail or something in front of the Commission; it could be done as a detail.

Chairman de Jongh said it could be done as a stipulation – staff is not any kind of position to read any kind of recommendation this evening.

Chairman de Jongh said they could probably address this at the next meeting and have the change added as a stipulation.

Ms. Simone said if plans could come in then the plans could be referenced in the approval and that would be fine. She said she believed what the applicant is looking for is to have language tonight that would authorize this without having the site plan.

Mr. Ducsay stated that staff was correct.

Chairman de Jongh stated he was not comfortable with that.

Dr. Dimmick said he wanted to be able to see staff put together the usual language – she is not in a position to do that in a rush basis. He said they are in a situation that the data that was provided to the Commission was not accurate and that is why they had to go through this again.

Mr. Ducsay stated that was correct. He said if staff was uncomfortable in making that motion then certainly they could revise the plans accordingly and submit that revised plan.

Chairman de Jongh that would be super and then the Commission would be in a position to just go ahead and just move this forward at the next meeting.

Mr. Ducsay thanked the Commission.

Further action on this item was deferred pending the submission of revised plans and staff review and recommendation.

X. NEW BUSINESS

1.	Permit Application	APP	# 2012-005
	Town of Cheshire Public Works	DOR	2/21/12
	Notch and Mixville Road		
	Hydraulic Dredging	MAD	4/26/12

Don Nolte, Project Technician for Cheshire Public Works Department was present on behalf of the applicant. David Murphy of Milone and MacBroom was also present.

The Commission reviewed the plans for the proposed activity.

Dr. Dimmick asked if this was the pond that they already got an approval for and now they are looking for modification.

Ms. Simone stated that they are actually looking for an addition. She said they would like to have their current method approved as well as the additional method being proposed.

Dr. Dimmick said then it's a modification by addition.

Mr. Nolte said they are calling it an amendment to include a second alternative.

Mr. Nolte said since they had such good experience with Weekes Pond doing hydraulic dredging – it was a clean method and provided little sight disturbance and high water quality leaving the dewatering area and because of their State and Federal permits coming in with requirements that limit their dredging to the summer that would close down the park for the whole season.

Mr. Nolte said they have opted to pursue the hydrologic method and David Murphy of Milone and MacBroom was also present. He said with Milone and McBroom's assistance they have gone to Army Corp and DEP, who have issued letter waiving any permit requirements from those agencies if they follow and hydrologic method using GEO tubes which are very large.

Mr. Nolte had pictures of the GEO tubes in use; he said they are like 80' circumference by 100' – their lay down area is very compressed; they do an excellent job of consolidating the dredged material and putting out clean water with the use of carefully regulated flocculence that our drinking water is safe.

Mr. Nolte explained that instead of draining the pond, putting in four 48" diversion pipes running pumps – probably several 6" pumps or larger for months end – 24/7 – they will do this in its existing condition. He said this is one great advantage and it will eliminate the seasonal restriction and they will start or continue after the recreational season with the absence of the Federal permits.

Mr. Nolte stated that they did submit a copy of the waiver letter from DEP and he did have a copy of the Army Corp's waiver letter – they are very comfortable with this approach.

Mr. Nolte said one requirement that enabled the town to get their waive and its reflected in the grading plan is that they maintain the emergent vegetation shelves around the pond before they were cleaning up right to the edge but now they'll leave those areas and work around them and that will eliminate the need for mitigation plan where they will have to plant like 4000 aquatic plants in place of what they just dredged out.

Mr. Nolte said with the reduced dredging around the edges they have shown a deepen area the pavilion where people will be launching boats and going in and out of the water so they feel that's an added benefit.

Mr. Nolte stated that the grading plan shows a forbay area that collects sediment over the years from Country Brook to create capacity and hopefully limit future dredging – or contain future dredging areas coming from that watershed.

Mr. Nolte said right now this plan shows about 13,500 cubic yards of excavation – they have a permit to do 15,000 cubic yards and as the Commission might recall that involved draining the pond and putting in a 600' road in the pond made out of rip-rap – he said he thought it was like 535 cubic yards into the pond; they put in a road going all the way up into the hillside about 8.5 % and maintaining that throughout the thunder storms through the summer that they would be working in and the area would be a lot more susceptible to erosion and they would have to strip larger areas on the hillside and for their standard stock piles – where as these tubes contain the material wholly until its dry enough for them to slit it open – fill up the trucks and take it completely dry out of site.

Mr. Nolte stated that there was no material handling until it's dry.

Dr. Dimmick said it sounds like the tubes are sacrificial at the end.

Mr. Nolte stated that they were. He said they are the expense in this operation but compared to all the earthwork.

Dr. Dimmick asked if there was any chance to recycle them

Mr. Nolte said the contractors tend to recycle them to plate underneath areas in the future - he said like what they would do here – they would either use crushed stone beds and or the old GEO fabric membrane but they couldn't resell them for anything.

Dr. Dimmick said he knew they couldn't be resold but maybe recycled.

Mr. Nolte said he guessed they could sew them together and they could use them again next time.

Mr. Nolte said the Commission had the grading plan before them – he said they are still targeting the uphill area for siting these bags because for one reason the principal area they want to use recycles the water back into the upper pond after it goes through the wetland because if you are pumping 1000 or 2000 gallons per minute then they might find the barge resting on the sediments in the pond if it all goes down stream.

Mr. Nolte informed the Commission that they recently just cleared the meadow out and there is a good area there.

Dr. Dimmick said that was the area they reviewed when they got the original permit on this.

Mr. Nolte said yes – all of the area he showed on the map was previously review except a lot more disturbance of the hillside.

Mr. Nolte said they have also shown other candidate areas for these tubes.

Mr. Nolte stated that the only drawback to the hillside is – and it's not a big deal – they need a booster pump but they can pump this material half mile away if they have to through the 6" hoses.

Dr. Dimmick asked if they use kind a slurry pump.

Mr. Nolte stated yes.

Mr. Nolte showed pictures of the booster pump – he said it’s just like a snow blower propeller – it chews up the sediment – it moves rather slow – it’s moved by cables not propelled by a motor or propellers but they protect the trees with soft cable and they just keep moving the cables down the line so they can get a crisscross pattern and do their sweeps.

Mr. Nolte stated that they would be turbidity in the immediate area but that would be contained through floating turbidity curtains.

Mr. Nolte explained that they may have to have two of them and two 6” pumps or an 8” dredge working to meet a production rate of 30 to 60 days to try to get done before the recreation season.

Mr. Nolte showed a picture of Weekes Pond. He said it’s just amazing that when the proper amount of polymer is added – what happens; he explained that within ten seconds water can go from dirty to clear water and the sediments just drop right to the bottom.

Dr. Dimmick asked about the polymer used – is it safe for drinking water.

Mr. Nolte stated yes – it was SF safe.

Dr. Dimmick asked what actually happens to it - does it naturally degrade eventually.

Mr. Nolte stated yes.

Mr. Nolte said that was all he had but if the Commission wanted any further detail from their polymer expert – he said that the State and Feds are very comfortable with it – it’s done a lot in the State.

Dr. Dimmick said he liked the general concept but he would want staff to be able have extra homework and go through and make sure that they haven’t missed something in all of this.

Mr. Nolte said that would be fine and they could provide any other expert testimony that the Commission would like.

Mr. Nolte stated that they still needed one more permit – for the discharge of this water back into the water body; they will make sure all of the people are licensed and following the daily filling of the log sheets and the water quality and keep everything under close control. He said they realize that if they use too much polymer it

costs a lot so they would be wasting the flocculent as well – it has to be calibrated just right.

Mr. Nolte said that he did want to point out that he notified the Town of Prospect by certified mail and have a copy of the return card so they have been duly notified in accordance with the Commission's regulations.

Dr. Dimmick said after accepting the application they have to give two weeks just in case Prospect suddenly gets alarmed by the whole thing.

Mr. Murphy explained that there was a discharge permit application that they are in the process of submitting to DEP. He said he could send a copy to staff.

Ms. Simone said she would like a copy of the DEP permit.

Mr. Murphy said that permit will contain information about the flocculent.

Motion: To accept the application.

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

Motion: To declare the proposed modification of the existing permit does not have significant adverse impact.

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

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

2.	Permit Application	APP	#2012-006
	Town of Cheshire Public Works	DOR	2/21/12
	Country Club Road		
	Channel Stabilization	MAD	4/26/12

Don Nolte, Project Technician for Cheshire Public Works Department was present on behalf of the applicant.

Ms. Simone stated that this item came before the Commission as a request for determination a few meetings ago.

Dr. Dimmick said at that point the Commission said that the applicant needed to file a permit for modification.

Chairman de Jongh said if his memory served him correctly this is the removal of some stone that was put in further than what was permitted for reasons unknown.

Ms. Simone said the request came before the Commission several meetings and it was determined an application was needed.

Mr. Nolte said that he was before the Commission with the details plans they requested when he was before them previously.

Mr. Nolte stated that the activities proposed to take place at 148 Country Club Road on the Sanstacken property.

Mr. Nolte said there were photos showing the existing conditions – they show that the contractor went beyond the rip-rap area shown on the plans – there was grading which probably made a lot of sense because before the grading from this 20’ bridge was aimed into the 8’ channel so they made it more gradual but the treatment of the slopes, although stable was not approved by the property owner who is very unhappy with his hand laid walls.

Mr. Nolte said they have provided a topo and provided the Commission with a proposed plan that shows existing conditions. He showed the location of the dewatering system to drain during the days while work on the walls is taking place and work in the dry.

Mr. Nolte showed on the plan the proposed conditions – he said the retaining walls are not even 2’ high – they are like 20” high and would be embedded about a 1’ below grade into the gravelly soils and its showing on one side there is about a 25’ length of wall to be constructed; on the east side there is a 65’ length and what they are proposing also there is a darrose between two walls where it goes down to 6’ which doesn’t make since. He said they would like to hold an 8’ minimum throughout the stonewalled area – so there is some minor grading – maybe about 2 cubic yards to maintain that 8’ width to where it narrows down presently - he said even though that is an existing wall area it just makes since they are coming out of 20’ bridge.

Dr. Dimmick said it increases velocity and increase in scour.

Mr. Nolte said yes and it puts more erosive force on these walls.

Mr. Nolte said the neighboring property at 160 Country Club Road – the Montanos have signed off on them accessing through their property; work was done there before when the bridge was going in – it was restored to their satisfaction and they are comfortable that the town will do what is right to restore their property to existing grade and condition.

Mr. Nolte showed the Commission the cross sections and the details of the wall to be constructed and the wetland filter bags that they are going to pump in – do some rather large one to keep sediment to from re-entering the stream.

The Commission reviewed the plans.

Mr. Nolte stated that they sent plans to RWA as they have an aquifer downstream – he said he hasn't heard any comments back from them.

Mr. Nolte stated that the wall would be constructed in a dry period – be it summer; it will take several weeks or a very low water table and flow to accomplish this work but it will probably just be a week in the channel.

Chairman de Jongh said since this work was done obviously outside the scope of what was originally approved and altered the look of the wall that was there – and since they are going back in to re-do this have they been in touch with the homeowner to make sure that what's being proposed is satisfactory to the homeowner.

Mr. Nolte stated yes – the rock has actually been purchased by the contractor and he has taken pictures to the owner who has approved the materials and the owner would be on-site and involved with this work – they would not think of doing the work without the homeowner present.

Chairman de Jongh said he just wanted to make sure the concerns of the homeowner are addressed at the same time – it would be foolish not to.

Mr. Nolte said because the channel's pretty flat they have to have a coffer dam to keep the water from coming back up the channel as they work but flow would be restored during the day and would go over that – it's only a foot high and that would be removed at the end of construction.

There were no questions from Commission members or staff.

Ms. Simone stated that both of the affected property owners have signed off.

Motion: To accept the application.

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

Chairman de Jongh said although this is not a public hearing – he would certainly ask if the homeowner was comfortable with the proposal.

Mr. Sanstacken stated very much so.

Chairman de Jongh asked that the record show the property owner was in agreement with the proposal from the town.

Motion: To declare the proposed work modifying and restoring is not significant within the context of the regulations.

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

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

At 8:05 p.m. - return to the approval of the minutes.

XI. ADJOURNMENT

The meeting was adjourned at 8:07 p.m. by the consensus of Commission members present.

Respectfully submitted:

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