

**CHESHIRE INLAND WETLANDS AND WATERCOURSES COMMISSION
REGULAR MEETING
TUESDAY, MARCH 6, 2012
TOWN HALL – 84 SOUTH MAIN STREET
COUNCIL CHAMBERS
7:30 PM**

Members present: Robert de Jongh, Charles Dimmick, Earl Kurtz and Will McPhee. Absent: Sheila Fiordelisi.

Staff: Suzanne Simone

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

Those present recited the pledge of allegiance.

III. ROLL CALL

Ms. Dunne called the role.

IV. DETERMINATION OF QUORUM

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

V. APPROVAL OF MINUTES – Regular Meeting, February 21, 2012

Motion: To approve the minutes of the February 21, 2012 regular meeting with corrections.

pg. 6 L36 'accidentally' to 'accidental', L37 delete 'a point discharge'; Pg. 7 L12 'abandon' to 'abandoned', L16 'to' to 'from'; pg. 8 L27 after 'to' add 'be'; pg. 8 L28 delete 'wanting to change'; pg. 9 L11 'demander' to 'meander'; Pg. 9 L27 'of' to 'if'; Pg. 15 L40 "review' to 'reviewed'; Pg. 18 L41 'darrose' to 'narrows', L43 'since' to 'sense'; L48 'sense' to 'since'.

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

VI. COMMUNICATIONS

1. Letter from Fazzone & Ryan, LLC

Re: Wetland Delineation for 224 Sandbank Road

The Commission reviewed this communication.

Chairman de Jongh said that this communication could be talked about at this point in the meeting.

Attorney Anthony Fazzone was present on behalf of the applicant. Bill Root of Milone and MacBroom was also present.

Attorney Fazzone addressed the Commission. He stated that a letter was sent in regarding 224 Sandbank Road; there are no wetlands on the site. He stated that this is not the Bozzuto's property – the main Bozzuto's property; it is across Industrial Avenue and it's on Sandbank Road.

Attorney Fazzone said the property in question is the site of the old Floral Glass.

Attorney Fazzone explained that there was an old swale that runs along the back of the property. He said Mr. Root has been there and has inspected it and the applicant has filed a copy of his report with the Commission.

Attorney Fazzone stated that Mr. Root found no wetlands either on the site or within 50' of the site.

Attorney Fazzone said that there is going to be a significant amount of paving. He explained that Bozzuto's is going to move their tractor trailer maintenance and part of their warehousing facility to this site.

Attorney Fazzone said they have not yet filed with Planning and Zoning.

Attorney Fazzone explained that he wrote the letter to the Commission to give an indication that there is not wetland disturbance and all of the storm water from the new paving will be retained on site.

Attorney Fazzone stated that he was thinking of the letter as a courtesy to the Commission to let them know that the applicant is going to Planning and Zoning but there are no wetlands on the site.

Attorney Fazzone stated a report was submitted to the Commission. He stated that the applicant doesn't intend to file a wetlands application.

Chairman de Jongh said he thought the reason is and he asked staff to contact you and come this evening and the reason is when he first read the letter that was sent to the Commission by staff – what caught his attention

was the fact that there was no activity within 50' of the wetland – it was that kind of a statement and typically the Commission is the one that decides whether or not it's of importance – so he just wanted to make sure that they weren't creating a precedence for example that they accept correspondence from an applicant that basically they don't have to come before the Commission as opposed to the Commission saying yes – you're right go ahead and do what you need to do kind of thing.

Chairman de Jongh said it's more of a belts and suspenders kind of thing but he felt more comfortable with that process.

Attorney Fazzone said as a matter of course – both himself and when they work with Milone and MacBroom they are overly cautious and file the application for determination – he said actually what they normally do it they file an application for determination and at the same time they file an application in case the Commission determines an application is necessary so they don't slow up the process.

Attorney Fazzone said in his opinion this was just so clear that there was nothing going on and no wetlands activity that they felt this was the right way to do it.

Chairman de Jongh thanked Attorney Fazzone. He said he appreciated him coming out tonight – that was the only concern that he had and he just wanted to make sure the rest of the Commission members were comfortable with the same thing.

Dr. Dimmick said that he did take a look at this because as he drove by he did see some Phragmites – he said he went out and looked and it's all fill; he guessed because of the drainage going to one spot there was a little clump of Phragmites but he saw no wetland soils.

There were no questions from Commission members or staff regarding this item.

Chairman de Jongh thanked Attorney Fazzone for his cooperation on this – he said it was just that he was a little uncomfortable with and he appreciated Attorney Fazzone reinforcing what was already in writing.

2. Soil and Water Spring 2012 Newsletter, to be handed out at meeting

Ms. Simone said handed out at tonight's was the Soil and Water Spring 2012 newsletter.

3. Staff Communications Re: Wiese Road, Richmond Glen Modification

Permit Application # 2005-012C

The Commission reviewed this communication.

**4. Staff Communications Re: Notch Road, Mixville Recreation Area
Permit Application # 2012-005**

Ms. Simone stated that this communication was handed out at tonight's meeting. The Commission reviewed this communication.

**5. Staff Communications Re: Country Club Road, Channel Stabilization
Permit Application # 2012-006**

The Commission reviewed this communication.

Handed out at tonight's meeting:

6. Ms. Simone stated that this communication was handed out at tonight's meeting is the Public Works notification for Woodbridge Circle.

Ms. Simone said the Commission may recall that a notification was submitted previously for work to remove sediment from a swale and they are notifying the Commission that they are going to continue the work and not get into the wetland area.

The Commission reviewed this communication.

7. Request for Determination for Lot 3 Mt. Sanford Road.

Ms. Simone stated that there is an application for this and it is under new business – the requester has requested that the request for determination take place prior to the application being discussed tonight.

The request for determination is not on the agenda so by Commission vote it can be added.

The Commission agreed by consensus to add the request for determination for Lot 3 Mt. Sanford Road to tonight's agenda.

This item would be added under new business as item number one, item two would be the old item number one.

8. Engineering Department Comments for Richmond Glen

The Commission reviewed this communication.

9. Engineering Department Comments for Lot 3 Mt. Sanford Road

The Commission reviewed this communication.

10. Regional Water Authority Comments for Country Club Road

The Commission reviewed this communication.

11. Other – none.

VII. INSPECTION REPORTS

1. Written Inspections

Ms. Simone stated that there were no written inspections.

2. Staff Inspections

Ms. Simone said that the comment she made at the last meeting that there was an oil tank found on town property but was within 50' of a wetland – that has been removed as well as the chassis of an automobile that was abandon in the woods; that material has been 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 remain on the agenda for record keeping purposes and keeping it on the agenda.

IX. UNFINISHED BUSINESS

**1. Permit Modification
Brodach Richmond, LLC
210 Wiese Road
Drainage Modification**

**APP # 2005-012C
DOR 2/07/12**

MAD 4/12/12

Ms. Simone stated in summary, the Engineering Department asks the question whether the proposed rip-rap will be placed on broken concrete on that to be abandon jogging trail or if it would be existing; and the applicant's engineer is aware of these comments.

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

Mr. Ducsay said since the last meeting revised plans have been submitted to the Commissions. He said the Commission should have those plans depicting the addition of a rip-rap splash pad per the recommendation of IWWC at the last Commission meeting.

Mr. Ducsay said as noted they did receive comments from the Engineering Department today and he said he wanted to address their comment.

Mr. Ducsay stated that the existing paved walkway will be removed prior to the placement of that new rip-rap apron.

Mr. Ducsay said he was happy to answer any questions from the Commission.

Chairman de Jongh said he thought Mr. Ducsay's response solves the problem.

Motion:

That the Cheshire Inland Wetlands and Watercourses Commission, having considered the factors pursuant to Section 10 of the Inland Wetlands and Watercourses Regulations of the Town of Cheshire, Commissioners' knowledge of the area, site visitations, and after review of written information provided by the applicant on this application finds the following:

- 1. That this application is for the modification of permit #2005-012B solely for the extension of a drain pipe between units 6 and 7, now proposed to outlet within approximately 12 feet of the delineated wetland boundary. The stormwater system for the entire project was reviewed and approved in permit #2005-012B.**
- 2. That the applicant's engineer stated that no increase in flow through the proposed drain pipe is proposed or expected.**
- 3. That this site lies within the Honeypot Brook watershed, and Honeypot Brook flows through a portion of the site.**
- 4. That CIWWC permit #2005-012, was granted, with stipulations, to Brodach Builders, Inc. for Site Plan (Richmond Glen ARPRD) on May 3, 2005. A permit extension #2005-012A granted on September 1, 2009,**

extends the permit expiration date of permit #2005-012 to September 1, 2014. A permit modification permit #2005-012B was granted on December 7, 2010, which supersedes permit# 2005-012.

5. That at the February 7, 2012 regular meeting of the Cheshire Inland Wetlands and Watercourses Commission the proposed application for modification was found to be not significant within the context of the regulations and therefore the submission of a new application and public hearing was not required.
6. That the proposed site plan 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 #2005-012C, the permit application of Brodach Builders, Inc. for site plan modification, as presented and shown on the plans entitled:

“Site Plan – Grading & Utilities,
Richmond Glen
210 Wiese Road, Cheshire, CT
Dated February 18, 2005: Last Revision Date February 23, 2012
1 Sheets, Scale 1”=40’
Prepared by Milone & MacBroom, Inc, Cheshire, CT.”.

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. All conditions and stipulations of CIWWC Permit #2005-012B granted, with stipulations, to Brodach Builders, Inc. on December 7, 2010 are incorporated by reference as though fully set forth herein to the extent they are not in conflict with the present permit grant.
4. This permit grant, specific to the drain pipe between units 6 and 7 shall expire on March 6, 2017.

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

**2. Permit Application
Town of Cheshire Public Works
Notch and Mixville Road
Hydraulic Dredging**

**APP # 2012-005
DOR 2/21/12**

MAD 4/26/12

Motion:

That the Cheshire Inland Wetlands and Watercourses Commission, having considered the factors pursuant to Section 10 of the Inland Wetlands and Watercourses Regulations of the Town of Cheshire, Commissioners' knowledge of the area, site visitations, and after review of written information provided by the applicant on this application finds the following:

- 1. That this application is for the removal of a maximum of 15,000 cubic yards of sediment from the upper pond at Mixville Recreational Area.**
- 2. That this application is to include the method of hydraulic dredging, in conjunction with conventional dredging.**
- 3. That this application supersedes permit #2010-029 granted on February 15, 2011. The stipulations of this permit are listed in fill in the stipulations stated below.**
- 4. That two waterbodies deposit sediment into the upper pond; the Ten Mile River to the south and Country Brook to the west.**
- 5. That the applicant's engineer report identifies that roadway sand is the main contributor to the sediment load entering Upper Mixville Pond.**
- 6. That the project goals are to remove sand and sediment from the upper pond, to prevent the migration of sediment into the lower pond, to remove excess vegetative growth from the waterbody and to minimize the regrowth of nuisance vegetation by increasing the pond depth.**
- 7. That the Commission declared the 2010 application significant within the context of the Inland Wetlands and Watercourses Regulations of the Town of Cheshire and the 2012 application specifying hydraulic dredged as not significant.**

8. That the Commission held a public hearing on this application on January 4, 2011 and that the applicant's representatives presented testimony during the one public hearing.
9. That while the application includes a grading plan capable of retaining all of the excavated material on-site, the applicant represents that they intend to remove all of the material to a non-regulated portion of the public works garage / transfer station / landfill site at 1286 Waterbury Rd. The grading plan was prepared in the event that other regulatory agencies forbid the proposed offsite transportation and disposal of some or all of the dredged material.
10. That the proposed site plan 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 #2012-005, the permit application of Town of Cheshire, Public Works Department for site plan approval as presented and shown on the plans entitled:

**“Upper Mixville Pond
Sediment Removal Project
Inland Wetlands and Watercourses Permit
Notch Road, Cheshire, CT
Prepared for the Town of Cheshire Dept. of Public Works
Dated December 1, 2010; Revised January 4, 2011
13 sheets
Prepared by Milone and MacBroom, Inc.”**

And

**“Upper Mixville Pond
Potential Hydraulic Dredging
Preliminary Design
Notch Road, Cheshire, CT
Prepared for the Town of Cheshire Dept. of Public Works
Dated November 2011; Revised February 15, 2012
6 sheets, Scale As Noted
Prepared by Milone and MacBroom, Inc.”**

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 the commencement of construction activities, a professional engineer/technician 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/technician 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.**
- 4. 90%-100% of coarse and fine-grained dredge material will be removed from the property and stored/utilized in an upland area. Screening of material shall occur exclusively off the subject property.**
- 5. Throughout the course of conducting construction activities covered by this permit grant, and per Section 11.2K of the Cheshire Inland Wetlands and Watercourses Regulations, the applicant shall be responsible for ensuring the following:**
 - a) That all maintenance and refueling of equipment and vehicles is performed as far as practical from all wetlands and watercourses, at least 100' if possible. All oil, gasoline, and chemicals needed at the site shall be stored in secondary containment to prevent contamination of any wetlands or watercourses from possible leaks.**
 - b) That all disturbed areas on the site not directly required for construction activities are temporarily hayed and seeded until the site is permanently stabilized.**
- 6. This permit shall expire on March 6, 2017.**

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

**3. Permit Application
Town of Cheshire Public Works
Country Club Road
Channel Stabilization**

**APP #2012-006
DOR 2/21/12
MAD 4/26/12**

The Commission reviewed revised plans showing an additional coffer dam.

Don Nolte, Engineering Technician from the Department of Public Works was present on behalf of the applicant.

Mr. Nolte stated that the plan reflects modifications made pursuant to a meeting he had with Ron Walters of Regional Water Authority where he suggested that all of the bypass water go directly back into the stream as being clean water so it didn't exasperate or cause problems with the sedimentation of the trench water – that plan has been modified to reflect the change and to add a sandbag dam downstream of the well point.

Mr. Nolte stated that Mr. Walters was fine with the changes and submitted written comments to that affect.

Dr. Dimmick asked if the change required additional use of the property to the west of the stream – is there permission for doing that.

Mr. Nolte stated yes – it's the property owner in question who signed the application has not objections at all – it's just putting the water back into the channel verses letting it filter out through his lawn.

Chairman de Jongh asked if they had anything in writing from the property owner that allows permission to go ahead and use additional property.

Mr. Nolte stated no – they are working in the same area - the water is getting let out where they had approval to put the oil boom and it's just going to go into a concrete sump from a catch basin that they are going to through into the stream temporarily so it doesn't churn up the stream bottom.

Chairman de Jongh said so it wasn't necessary to have anything in writing from the property owner granting access to his property.

Mr. Nolte said he did not feel it was necessary for the property owner to be here tonight.

Motion:

That the Cheshire Inland Wetlands and Watercourses Commission, having considered the factors pursuant to Section 10 of the Inland Wetlands and Watercourses Regulations of the Town of Cheshire, Commissioners' knowledge of the area, site visitations, and after review of written information provided by the applicant on this application finds the following:

- 1. That this application is for removal of a 20-inch high retaining wall along the bank of Honeypot Brook on Country Club Road. The proposal requests the reconstruction of 25-feet of retaining wall on the west bank of the brook and 65-feet on the east bank.**
- 2. That the affected property owners have signed and authorized the IWWC application.**
- 3. That the proposal will reduce scouring and erosion on the upstream banks adjacent to the Country Club bridge.**
- 4. That the proposed site plan 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 #2012-006, the permit application of Town of Cheshire, Public Works Department for site plan approval as presented and shown on the plans entitled:

**“Proposed Channel Wall Reconstruction
Honeypot Brook – 148 Country Club Road
Cheshire, CT
3 Sheets, Scale As Noted
Dated January 31, 2012; Revised March 2, 2012
Prepared by/for Town of Cheshire Dept. of Public Works.”**

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 the commencement of construction activities all required erosion and sedimentation controls shall be properly installed and function as represented by applicant to ensure the prevention of erosion and sedimentation into adjacent wetlands and watercourses. Staff may also insist on additional controls if field conditions warrant them.**
4. **An inspection of the condition, integrity, and adequacy of the sedimentation and erosion controls shall be made by a qualified party on a regular basis, 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 immediately after inspection. The costs of said inspections to be borne by the applicant.**
5. **All disturbed areas on the site not directly required for construction activities shall be temporarily hayed and seeded until the site is permanently stabilized.**
6. **Throughout the course of conducting construction activities covered by this permit grant, and per Section 11.2K of the Cheshire Inland Wetlands and Watercourses Regulations, the applicant shall be responsible for ensuring the following:**
 - a) **That all maintenance and refueling of equipment and vehicles is performed as far as practical from all wetlands and watercourses, at least 100' if possible. All oil, gasoline, and chemicals needed at the site shall be stored in secondary containment to prevent contamination of any wetlands or watercourses from possible leaks.**
8. **This permit grant shall expire on March 6, 2017.**

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

X. NEW BUSINESS

1. Request for Determination Mt. Sanford Meadow Farm LLC

Ms. Simone said that the site plan she is handing out tonight is the same sight plan for the application.

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

Ms. Simone gave a brief back history on this item. She explained that the Commission had reviewed a subdivision in 2010 for neighboring property – this lot was not subject to that review – meaning that there wasn't any depiction of any potential houses on this property; it was referred to as undeveloped land at that time so this is the first time the Commission is seeing any general depiction of a location of a house and septic.

Mr. Ducsay said as the Commission can see the site is located in the south end of town – it is located on the west side of Mt. Sanford Road as shown on the location map.

Mr. Ducsay stated the subject parcel is located in an R-80 zoning district. The property is approximately 6 acres in size and as shown on the map there is approximately 1.2 acres of which are delineated wetland soils.

Mr. Ducsay stated the plan is for one single family home located in the upland area of the lot to the rear; there is an access drive originating from Mr. Sanford Road – essentially it's equidistant from the wetland.

Mr. Ducsay showed on the plan the location of the wetland pockets and the location of the driveway as it goes up to the higher ground on the property.

Mr. Ducsay stated the site is served by public water and then a subsurface sewage disposal system.

Mr. Ducsay stated they have done testing with Chesprocott; he showed on the plan the location of the system. The plan has been submitted to Chesprocott and the applicant has received comments and revised the plan accordingly.

Mr. Ducsay the site is located in the Willow Brook Watershed and due to that fact the applicant has submitted notification to both the RWA as well as the Department of Public Health in accordance with the regulations notifying them of this particular application.

Mr. Ducsay said the plan before the Commission tonight depicts zero direct wetland impacts although there are .22 acres of upland review area impact and again that impact is associated with accessing the upland portion of the site which is locate to the rear of the property.

Mr. Ducsay stated there were a number of sedimentation and erosion control features depicted on the plan; there is silt fence reinforced with hay bales more or less circumnavigating the development area. In addition to that there are a couple of sediment traps and under existing conditions the water comes down to a saddle point and then divides in either direction and essentially that is what they tried to mimic in their proposed conditions as well.

Mr. Ducsay stated that the proposed grading comes down to a high point and then the water splits around the house and will be directed to the proposed sediment traps during construction. He said in addition to that there are the standard construction entrance pad and soil stock pile areas adjacent to the septic system where they are going to be stripping the top soil off prior to the installation.

Mr. Ducsay said that with him tonight was Bill Root, certified soil scientist of Milone and MacBroom who walked the site – did the field survey and delineated the wetlands onsite. Mr. Root was present to answer any questions the Commission might have regarding the wetlands.

Mr. Ducsay said that concludes his presentation and that he was more than happy to answer any questions the Commission had for him or Mr. Root.

Dr. Dimmick said there is regrading for the driveway within 15' of established wetlands – he said he did not see how they could get any kind of determination that they don't need a permit for it. He said in his opinion he thought a permit was needed.

Mr. Ducsay stated as Dr. Dimmick referenced the closest wetlands is about 15' from the proposed activity.

Chairman de Jongh said they did not walk this property when they were looking at the other development that was done nearby and it might make since to take a look at it.

Mr. Ducsay said he would like to turn the microphone to Mr. Root to speak briefly about the wetlands since he has been on site and he is a certified soil scientist regarding his delineation.

Bill Root, certified soil scientist of Milone and MacBroom addressed the Commission.

Mr. Root said he did flag the wetlands on this property and it was in the last month or so – the wetlands are depicted on the plan. He said they are on Mt. Sanford Road; it's a very old farm field setting – it's very flat – it's very silty there; its cleared so what you have is sort of an old, broad wet field similar to what was on the property to the south easterly direction where the horses are grazing and its terraced and there are some areas because of the old farming activity and manuring and the pasturing the soils get very compacted.

Mr. Root said a part of the site is the result of poor downward drainage but there are not a lot of wetland functions and values there – there are a fair number of wetland plants – Soft Rush is very dominate; there is Sensitive Fern; some Wool Grass where it's a little bit wetter but again they are all in the open fields and the same with the other wetland – again it's out in the fields past the existing tree line so they are not forested wetlands but sort of a wet meadow old farm field kind of a setting.

Mr. Root noted there was an old road bed that has been incised into the landscape so the water runs down through that. He said they are not pristine wetlands by any means.

Dr. Dimmick asked what the soil types were.

Mr. Root said they are a Red Sandstone based – like a Wilbraham but a little bit siltier and then grades up to a Cheshire soil. He said there is a knoll on the parcel and it's a compacted area but sandy beneath is some areas – the drainage is very good was you get into the woodland area where it rises some but the low wet fields are fairly compact.

Mr. Root said there is a small old farm pond just off the property; the water table is fairly high in the area.

Dr. Dimmick said from the holes put down there it's almost the past farm practice eroded some of the stuff off of the hills down into that spot.

Mr. Root stated that wouldn't surprise him but at any farm there are a lot of comings and goings and furloughing of the soil and some wind erosion and water erosion too.

Mr. Root said so that is the nature of the wetlands – they're not forested wetlands which often have high functions and values but it's a wet meadow setting – it's interesting and different. But it's not the type of wetland that would be easily impacted by any of the activities proposed here. The driveway coming in is basically the same feature that has been used previously.

Dr. Dimmick said he did not remember that those soils were particularly erodible.

Mr. Root stated that one reason they are not so erodible is that it's so flat otherwise it might be because the soils are very silty at the surface; there is a small stream that comes from the adjoining properties to the north side and again the access drive just mimics the old access that came from the other farm properties – there is not really a lot of change of use or anything going on here; not a lot of wetland impact but they can talk about that later if the Commission choices.

Chairman de Jongh asked what the width of the driveway was.

Mr. Ducsay stated it was 12' with 3' shoulders.

Motion: That the Commission declares that the proposed activities will require a permit from the Commission.

Moved by Dr. Dimmick. Seconded by Ms. Dunne.

Mr. Kurtz asked about the Engineering Department comment – he said they haven't received an application yet so has the comment been discussed.

Mr. Ducsay said that comment just came in this afternoon at the end of the day – they received that comment from the Engineering Department – they have looked into it as far as how to attenuate the peak flows and run-off and they will be designed on this lot is going to be a rain garden located on site to collect the difference in run-off. He said the comment

was received at the end of the day today and they did not have a chance to revise plans and submit plans to the town hall.

Mr. Kurtz said he was surprised that the Commission already has a comment from Engineering since there is not an application.

Ms. Simone stated that the applicant did submit an application.

Mr. Kurtz stated personally he did not see a big deal about the development – he said he was more concerned that they have a comment from the Engineering Department already.

Motion approved 4-1-0 with Mr. Kurtz opposed to the motion in need for an application for the proposed activity.

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|------------------------------|---------------|
| 2. Permit Application | APP #2012-007 |
| Mt. Sanford Meadow Farm, LLC | DOR 3/06/12 |
| Mt. Sanford Road | |
| Site Plan – House | MAD 5/10/12 |

Discussion of this item was covered under new business item one.

Motion: To accept the application.

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

A field trip was set for Saturday, March 10, 2012 at 8:00 a.m.

The wetland areas has been flagged.

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

3. Request for Approval of Garage/Bedroom Addition
Allen Dvarskas
354 Sir Walter Drive

Ms. Simone informed the Commissions that Mr. Dvarskas wants to add an addition to his garage and it's too close in looking at the officials soils map for staff to just sign-off on the proposed activity; the proposed activity is in a lawn area.

Ms. Simone stated that according to the wetland map it appears that it's probably about 70' from edge of the wetlands as depicted on the map without knowing where the delineation is.

The Commission reviewed the plan.

Allen Dvarskas of 354 Sir Walter Drive addressed the Commission.

Mr. Dvarskas addressed the Commission. He explained that the proposed activity is for an addition of a 32' by 36' addition to his garage; the addition would house a three car garage with a master bedroom suite above the garage. The addition would cover less than 2% of the property.

Mr. Dvarskas said that the current garage is 22' by 22'; the proposed activity would extend the current foundation 10' to the rear of the existing garage; 4' in front of the existing garage and 10'12' to the side of the existing garage. Above the garage there will be a single bedroom with attached office/workroom.

Mr. Dvarskas said he was aware that there were wetlands located to the rear of his property; he explained that the addition will bring the current footprint of the property about 6' closer to the wetlands; extending the garage back 10' will change the footprint roughly 6'.

Dr. Dimmick asked if he was staying on the flat part of the site and not getting near the slope; and that the plan shows use of silt fence.

Mr. Dvarskas stated he was. He explained the layout of the property and talked about the slope area and its decline.

Chairman de Jongh asked about foundation, the slope, the fill and about the excavation for the proposed activity.

Mr. Dvarskas explained that during the renovation process, a new frost wall and slab will be poured. The material removed from the excavation for the frost wall would be stored to the front of the property away from the wetlands. A silt fence would be put in place at the above and following the closest contour line to the addition to prevent materials from leaching/blowing into the wetland area. Any unused backfill material from the excavation would be used in the garden or removed from the property.

Mr. Dvarskas said the excavation will not be done near the area where the property starts to slope; it will all be on the opposite side.

Ms. Simone said she believed this covers everything that she and Mr. Dvarskas discussed in the office today. She said she did inform Mr. Dvarskas that he should go through the process to express to the Commission that he is aware of where the wetlands are located and they won't be disturbed or impacted by this proposal.

Mr. Dvarskas explained to the Commission that he was a science teacher and very aware of the need to protect the wetlands.

Mr. Kurtz asked if property owner could contact staff if there were issues or if staff could still go out to the site as matter of course to check things out – like the silt fence.

Ms. Simone stated yes – because anyone doing work is still bound by the regulations.

Motion: That the Wetlands Commission after looking over the appropriate material finds that the proposed activities do not require a wetlands permit under the regulations.

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

XI. ADJOURNMENT

The meeting was adjourned at 8:12 p.m. by the consensus of Commission members present.

Respectfully submitted:

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