

**CHESHIRE INLAND WETLANDS AND WATERCOURSES COMMISSION
REGULAR MEETING
TUESDAY, MAY 1, 2012
TOWN HALL 84 SOUTH MAIN STREET
COUNCIL CHAMBERS AT 7:30 P.M.**

Members present: Charles Dimmick, Sheila Fiordelisi, Will McPhee and Kerrie Dunne. New member Thom Norback was also present.

Members absent: Robert de Jongh and Earl Kurtz.

Staff: Suzanne Simone

Dr. Dimmick served as chairman pro-tem in Chairman de Jongh's absence.

I. CALL TO ORDER

Dr. Dimmick 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 Charles Dimmick, Sheila Fiordelisi, Will McPhee, Kerrie Dunne and Thom Norback.

IV. DETERMINATION OF QUORUM

Dr. Dimmick determined there were enough members present for a quorum.

V. APPROVAL OF MINUTES - REGULAR MEETING OF APRIL 17, 2012

The approval of the minutes was deferred to the end of the meeting per the consensus of Commission members present.

At 7:47 p.m.:

Motion: To approve the minutes from the regular meeting of April 17, 2012 with corrections.

Pg. 3 L22 "out" to "our"; Pg. 7 L39 "rational" to "rationale"; Pg. 10 L13 "prefatory" to "periphery"; Pg. 12 L29 delete "was"; Pg. 13 L29 "what" to "was"; Pg. 14 L33 "is" to "it", L42 "property" to "portray"; Pg. 15 L20 "out" to "put"; Pg. 18 L25&27 "contiguous" to

“continuous”; Pg. 21 L5 “she” to “shed”, L27 “lonely” to “only”; Pg. 22 L37 “then want” to “than what”.

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

VI. COMMUNICATIONS

- 1. CT Pond Service - Aquatic Pesticide Permit Application
Re: 791 Wallingford Road – Youngberg Pond**

This communication was reviewed.

- 2. Request from Philip Tiso, IWWC App. # 2012-011, Summer Hill Ct.
Re: Maintenance of wetlands on property**

Dr. Dimmick stated that this communication was in relation to an Inland Wetlands application.

Ms. Simone stated that the communication was in support of the application under unfinished business.

VII. INSPECTION REPORTS

- 1. Written Inspections**

Ms. Simone stated there were no written inspections.

- 2. Staff Inspections**

- a. 785 South Brooksvale Road**

Ms. Simone reported that at a previous meeting she had mentioned 785 South Brooksvale Road – when she had come across a landscaping crew that was clearing along the brook there.

Ms. Simone said she did speak with the homeowner – they indicated that they have abandon their interest in regrading and replanting area and instead they would just be manually removing downed branches and other debris that has collected in that brook from the storms.

Ms. Simone stated that she informed the homeowner that they do not need a permit for that – that they can just remove that material provided that it is by hand but if they wanted to do anything more extensive that they would need to, at the very least, contact the Wetlands office.

b. Woodbridge Apartments

Ms. Simone said that the office received a complaint about Woodbridge Apartment which has frontage on Waterbury Road and backs up to Notch Road –about 1130 and 1120 Notch Road.

Ms. Simone said the complaint was that they were clearing trees in the wetlands and according to the wetlands map – it is not wetlands in that area and when staff spoke to one of the complainant's they said that the reason why they believe it's wetlands is because that is what they were told when they purchased the house but they didn't have any additional information to support that.

Ms. Simone stated that complaints received today that staff had not had a chance to follow-up on yet:

- c. 180 Poplar Drive – ATV track that was created in a wetland. Ms. Simone said this is a property that had previous issue before this Commission – staff agreed to check this issue out.**

d. 815 Allen Avenue

Ms. Simone said the next issue is at 815 Allen Avenue – Dante Pasqualoni. She reported that apparently the Public Works Department was out there today to finalize some of the work that was covered under their permit that they received from this Commission and Mr. Pasqualoni had asked the Public Works Department to place some debris in an area that has not been approved and they had balked at that and he had indicated that he would be contacting Commission members and that he was unhappy and that he then refused to plant the Cattails and all of that.

Ms. Simone said she would follow up on this item but just to give Commission members a heads up that they may be getting a call from Mr. Pasqualoni.

Dr. Dimmick said the only two people he should ever contact are either Mr. de Jongh or himself. The public should not be contacting other members of the Commission.

Ms. Simone said she thought Mr. Pasqualoni was upset at the time and was trying to assert himself in that situation.

Ms. Simone reported that Public Works has stopped all work at that property for now until it gets squared away.

e. Town GIS Website

Ms. Simone said she wanted to inform the Commission about the Town website – the GIS layer – the wetlands on that – that program has been disabled because the wetlands layer was very inaccurate creating a lot of conflict of people checking the GIS map and thinking that was the official map and then saying there are no wetlands on my property when they liked – let’s say along Honey Pot Brook or something like that.

Ms. Simone said so that layer has been disabled and when the Town updates the system they will have new information that will be accurate.

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**

Dr. Dimmick said this item is staying on the agenda until the Commission is satisfied that they have completed the activities that they were permitted to do.

Dr. Dimmick asked if there was an update on this item.

Ms. Simone stated no.

- 3. Unauthorized Activities in an Regulated Wetland Area SC 4/03/12
Philip and Robin Tiso
9 Summer Hill Court**

Dr. Dimmick stated that this item was subject of an application under unfinished business.

This item will remain in the agenda until the permitted activity has been complete.

Ms. Simone stated the applicant has the approval that covers them to do various things until 2017 however they are required to plant a minimum of seven shrubs within one year.

Ms. Simone said if the Commission would like, that is something that would be monitored within the one year period and then upon completion of that it could be released.

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|----|---------------------------|-----|-----------|
| 1. | Permit Application | APP | #2012-011 |
| | Philip Tiso | DOR | 4/16/12 |
| | 9 Summer Hill Court | | |
| | Site Plan – Tree Clearing | MAD | 6/21/12 |

Dr. Dimmick said this is an application to remedy the work caused by the unauthorized clearing in the regulated area.

Dr. Dimmick suggested under findings two that the wording read “seven native species shrubs.”

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 the improvement of a wetland and upland review area.
2. That the applicant proposes the planting of a minimum of seven native species shrubs.
3. That the applicant proposes the continued removal of invasive plant species within the wetland and upland review area.
4. That the Commission has determined the activity to not be significant under the context of the Cheshire Inland Wetlands and Watercourses Commission regulations.

Based upon the foregoing findings, the Cheshire Inland Wetland and Watercourses Commission conditionally grants CIWWC Permit Application #2012-011, the permit application of Philip Tiso as presented on the following materials:

“Application narrative
Dated Received, April 24, 2012
Signed, Philip Tiso.”

And “Site Map
Native Shrub Location.”

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. That a minimum of seven native shrubs shall be installed according to the site map, by May 1, 2013. The applicant may request an extension of this timeframe to the Commission if weather conditions prohibit the successful planting of shrubs within this timeframe. Additional native tree, shrub and herbaceous planting shall be covered by this permit and do not have a required timeframe by which to complete.**
- 4. The tree stump deposited in the wetland area will be manually rolled into the upland area and then removed from the upland review and wetland areas with mechanical equipment.**
- 5. The ongoing removal of invasive plant species shall be conducted with manual tools. No heavy equipment shall be used in the wetland and upland areas.**
- 6. This permit grant shall expire on May 1, 2017.**

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

- 2. Proposed Shed Installation
107 Briar Court
Leon Richard, Jr.**

Dr. Dimmick asked about the status of the request to install a shed at 107 Briar Court.

Ms. Simone informed the Commission that the homeowner was informed that a permit would be required to install a shed on their property.

Ms. Simone stated no application has been received; no permit has been requested from the Building Department so she believed they haven't taken any action on that.

X. NEW BUSINESS

1.	Permit Application	APP	#2012-012
	Dalton Enterprises, Inc.	DOR	5/01/12
	Willow Street		
	Site Plan – Warehouse Facility	MAD	7/05/12

Mr. McPhee recused himself from this portion of the meeting at 7:43 p.m.

Dr. Dimmick said they have an application before them from Dalton Enterprises. The Commission was informed Dalton's engineer could not be present this evening but they have submitted materials.

Ms. Simone stated yes and the drainage report was handed out at tonight's meeting.

Dr. Dimmick confirmed the drainage analysis contained a map.

Ms. Simone stated yes and they have the large site plan that can be reviewed by Commission members.

Ms. Simone said basically they are taking an area and constructing storage facilities.

Ms. Simone stated the application is for the construction of a 47,250 square foot facility.

Dr. Dimmick said that is a little over an acre of building.

The Commission reviewed the plans.

Dr. Dimmick said that it is actually an outdoor storage area and most of it is on the east side of the railroad but some of it isn't.

Dr. Dimmick said the part that actually goes across the railroad right-of-way gets pretty close to the wetlands. He said plus the fact that on one side they have the old canal area which is also regulated.

Dr. Dimmick said besides accepting the application tonight they might also want to indicate if there is any additional information the Commission wants other than the drainage study.

Ms. Simone said accompanying the drainage information tonight is the soil scientist report for the site. She stated the applicant's engineer had stated that they will be in communication with the town engineer to go over the mythology that was used.

Ms. Simone said apparently it was - she said she did not want to say it was unconventional but they wanted to have a direct conversation so it would be clear as to what was being proposed and why particular methods were selected.

Dr. Dimmick said his suggestion is the Commission accepts the application but they hold off any discussion until such time as the Commission can get the applicant's representatives in front of them so they can ask questions and not just guess as to what they plan on doing.

Motion: To accept the application.

Moved by Ms. Fiordelisi. Seconded by Ms. Dunne. Motion approved 4-0-1. Mr. McPhee was not present for the vote.

Dr. Dimmick stated that further discussion on this item would be deferred until the next meeting.

The application's significance was not determined at this meeting.

Mr. Norback took a copy of the plans for his further review.

Mr. McPhee returned to the meeting at 7:47 p.m.

At 7:47 p.m.: return to the approval of the minutes from the April 17, 2012 meeting.

XI. ADJOURNMENT

The meeting was adjourned at 7:49 p.m. by the consensus of Commission members present.

Respectfully submitted:

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