

**CHESHIRE INLAND WETLANDS AND WATERCOURSES COMMISSION  
REGULAR MEETING  
TUESDAY, APRIL 16, 2013  
TOWN HALL 84 SOUTH MAIN STREET  
COUNCIL CHAMBERS AT 7:49 P.M.  
Immediately Following the Public Hearing**

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**Members present: Charles Dimmick, Kerrie Dunne, Earl Kurtz, Thom Norback, Will McPhee and David Brzozowski.**

**Member absence: Robert de Jongh.**

**Staff: Suzanne Simone.**

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

**I. CALL TO ORDER**

**Dr. Dimmick called the regular meeting to order at 7:49 p.m.**

**II. PLEDGE OF ALLEGIANCE**

**The pledge of allegiance was recited at the public hearing.**

**III. ROLL CALL**

**Ms. Dunne called the roll at the public hearing. Members present at the public hearing were still present for the regular meeting.**

**Members present were Charles Dimmick, Kerrie Dunne, Earl Kurtz, Thom Norback, Will McPhee and David Brzozowski.**

**IV. DETERMINATION OF QUORUM**

**Dr. Dimmick determined there were enough members present for a quorum at the public hearing.**

**V. APPROVAL OF MINUTES Regular Meeting of April 2, 2013**

**Dr. Dimmick suggested deferring the approval of the minutes to the end of the meeting.**

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

At 8:22 p.m.:

**Motion:** To approve the minutes from the regular meeting of April 2, 2013.

**Corrections:** pg. 3 L30 should read “Ms. Simone said”; pg. 8 L21 “flow film” to “flood zone”, L24 “tow” to “toe”, L36 “inly” to “in”; pg. 9 L23 “be” to “he”; pg. 13 L45 “untimely” to “ultimately”; pg. 14 L6 delete “and our part really”; pg. 19 L33 delete “they are divert or”, L39 “”plié” to “pile”; pg. 21 L15 delete “in the.”

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

## VI. COMMUNICATIONS

1. Engineering Comments, #2013-008, Subdivision, Ricci Construction Group - Sperry Road/Crestwood Drive

This communication was reviewed. Ms. Simone stated this item is on unfinished business tonight.

2. Request for Permitted/Non-Regulated Use Determination  
Re: Erection of Greenhouse, Kurtz Realty, LLC, Schoolhouse Road

This communication was reviewed.

3. Engineering Comments, #2013-006, Site Plan, Dr. Jeffery Norwood Old Lane Road

This communication was reviewed. Ms. Simone stated this item is on unfinished business tonight.

*Handed out at tonight’s meeting:*

4. Engineering Comments, #2013-008, Subdivision, Ricci Construction Group - Sperry Road/Crestwood Drive

This communication was review. Ms. Simone stated these comments were the most updated version of comments.

## VII. INSPECTION REPORTS

1. Written Inspections

Ms. Simone stated there were no written inspections.

**2. Staff Inspections**  
**a. Tiso Property**

Ms. Simone explained that staff contacted Mr. Tiso under enforcement actions as a follow up to a letter that was previously written. She said Mr. Tiso indicated that the shrubs are planted so staff will go out and inspect that and then will prepare a report for the Commission at the next meeting.

**b. Mountain Road**

Ms. Simone said staff conducted an erosion control inspection of a single home construction on Mountain Road.

**c. Wallingford Road**

Ms. Simone said there was a bond calculation and ultimate then the bond posting for Wallingford Road which was a recent approval before this Commission.

**VIII. ENFORCEMENT ACTIONS**

Dr. Dimmick said this item will remain on the agenda as a reminder of things to come.

- 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 the property owners still have quite some time allowed before they have to finish their restoration.

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

Dr. Dimmick stated that staff just reported on Philip and Robin Tiso.

- 4. Unauthorized Activities in a Regulated Wetland Area SC 8/07/12**  
**CMJ Willow, LLC c/o Chad Horning**  
**151 Willow Street (56/196-1)**

Dr. Dimmick asked staff what the status was on this item.

Ms. Simone explained that the permit still allows for the remainder of this year to plant the shrubs along the watercourse so staff will continue to monitor that.

5. **Corrective Order #CO-11-6-2012-A**  
**Unauthorized Activities in a Regulated Wetland Area FT 10/23/12**  
**Bob Ceccolini – Park and Recreation Department**  
**Mixville Recreation Area, Notch Road (41/13)**  
**Clearing of Vegetation within a Watercourse, Wetland and Upland**  
**Review Area**

Dr. Dimmick said he thought staff was going to check sometime this spring in terms of how things were going.

Ms. Simone stated yes – she said she would follow up with the Parks Department but they do have a business that will be looking at to assess the damage and then to come up with a mitigation plan and that will be done in the spring.

**IX. UNFINISHED BUSINESS**

1. **Permit Application APP #2013-004**  
**Kurtz Realty, LLC DOR 03/19/13**  
**Schoolhouse Road SW 03/23/13**  
**Grading MAD 05/23/13**

Mr. Kurtz recused himself from this portion of the meeting at 7:53 p.m.

Dr. Dimmick explained that this item is one where the Commission has the application, they had the field trip, we had discussion and staff has prepared recommended wording for granting a permit for the corrective regrading of this large pile of material.

**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 regrading of soil in the wetland and upland review area.**
- 2. That the applicant's engineer indicates that approximately 250 cubic yards of soil will be removed from the down gradient in the upland review area and relocated further up gradient.**
- 3. That the applicant's engineer has proposed the area of removal to be reinforced with a concrete block retaining wall.**
- 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 #2013-004, the permit application of KURTZ REALTY, LLC as presented on the plans entitled:**

**"Grading Plan  
Land of Kurtz Realty, LLC  
Schoolhouse Road, Cheshire CT  
Scale 1"-30': Dated April 1, 2013  
By Raymond A Rogozinski  
Conklin & Soroka, Inc.  
325 Sandbank Road, Cheshire CT".**

**And**

**"Soil Science and Environmental Services, Inc.  
545 Highland Avenue, Cheshire CT  
Re: Kurtz Farms, Lots 22 & 27, Schoolhouse Road, 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. That the recommendations of the Soil Science and Environmental Services, Inc. described in the above referenced document will be adhered to.
4. This permit grant shall expire April 16, 2018.

Moved by McPhee. Seconded by Ms. Dunne. Motion approved 5-0-1 with Mr. Kurtz not being present for the vote.

Mr. Kurtz returned to the meeting at 7:55 p.m.

2.	Permit Application	APP	#2013-005
	Apex Developers, LLC	DOR	03/19/13
	South Meriden Road	SW	03/23/13
	Subdivision	PH	04/16/13
		MAD	05/21/13

Dr. Dimmick stated this item was subject of tonight's public hearing.

Dr. Dimmick asked if there were any additional comments anyone wanted to put in before they let staff prepare wording.

Dr. Dimmick recommended staff come up with wording assuming she has everything together – if not she'll let the Commission know.

3.	Permit Application	APP	#2013-006
	Dr. Jeffery Norwood	DOR	03/19/13
	Old Lane Road		
	Site Plan	MAD	05/23/13

Dr. Dimmick said there was some new information on this application.

Ms. Simone said the Commission did receive revised plan which she could show to the Commission.

Ms. Simone stated that she had not been in contact with the engineers so she did not know if they plan on attending tonight.

Ms. Simone explained that she wanted to read into the record the engineering comments.

Ms. Simone said the comments were addressed to Inland Wetlands dated March 14, 2013 however it was received in the office on April 11, 2013 and faxed to the engineer April 12, 2013.

Regarding site plan Norwood 230 Old Lane Road:

This office has reviewed the above referenced application as received and based on the information presented, has the following comments at this time:

“1. The proposed driveway cross section must apply to entire driveway; note says “Where Applicable” but does not say where that is.

2. The Engineer should demonstrate that this project will conform with this department’s policy of net zero increase which requires compliance for the 2, 10, 25, 50 and 100 year storm events. A clear and concise, detailed narrative report backed up by appropriate calculations is required including sizing design for the rain garden. The report submitted contains incomprehensible sentences, references to obsolete documents, extraneous irrelevant information and a drainage design for a site elsewhere in Town and fails to clearly and concisely address the concerns that this office has repeatedly expressed.

3. The fill in the area of the septic system approaches 4 feet in places and increases the adjacent slopes from the existing grade of 1’ on 4’ to 1’on 2’. This is a 2 fold increase in steepness of slope, these slopes face Northeast which combined with the increased grade will make them difficult to stabilize. It is likely that the proposed grass cover for this slope will not be adequate in the long term. At a recent meeting with the Applicant and his Engineer, it was represented that the fill decreased to 2 feet but the plans still show 4 feet. It is up to the applicant to provide documentation that these concerns are addressed and that does not mean listing a phone number for us to call.

4. The current proposal shows a new storm drainage system but there are no details as to what the flows or velocities will be. Swale cross section is missing.”

Ms. Simone stated in light of these comments the staff basically find the same and she didn't detail too much with the understanding that majority of what's designed will likely change.

Mr. Kurtz asked if staff hadn't heard from the engineer or any representative at all.

Ms. Simone said no – she had not.

Ms. Simone explained that the applicant dropped off the revised plans and that's the only correspondence that we've had.

Dr. Dimmick said and we don't have a representative here tonight for the applicant.

Ms. Simone stated no.

Dr. Dimmick said he wasn't sure they've made any real progress at this stage – he stated they have a mandatory action date about one month from now on this.

Ms. Simone said she would contact the applicant and the applicant's engineer to remind them of the mandatory action date and also that they also have the right to ask for a 60 day extension at any time during the process and she would give them the time frames as to when they would need to get that extension in the office in order for it work.

Ms. Dunne asked if that would be in writing.

Ms. Simone stated yes – it will.

Ms. Dunne asked if the applicant had a certain time in which they would need to respond to engineering department – she asked if they've responded yet.

Ms. Simone stated no – they haven't responded yet. She said this came in on April 11<sup>th</sup> so engineering put this together on the 12<sup>th</sup> and it was faxed out on the same day so she hasn't heard anything since.

Dr. Dimmick said he didn't know what else they could do at this stage – we have given as much help as we ever normally give to try to get something straight but he could not see us going forward if our own engineering department is supposed to be one of the people we listen to in making these decisions. He stated that he was frustrated.



Ms. Dunne said so other than sending out that letter and putting it on the agenda she did to see there was anything else they could do.

Dr. Dimmick said they would just have to postpone action until they get a little bit more information on it.

Ms. Simone said and also as of yet under this being an application – nothing has been presented to the Commission. She explained previously what was presented was a request for determination – at that time the Commission found that an application for a permit was required and ever since that was submitted it was tabled immediately and then tabled the following meetings so this is the first time that it's really before the Commission for discussion.

Dr. Dimmick said as a Commission we should never put any hindrances in front of an applicant but it doesn't really mean we have to hold his hand and do his work for him either.

Dr. Dimmick suggested postponing action until he next time on this and staff will keep us informed if anything happened.

Ms. Simone stated yes.

5.	Permit Application	APP	#2013-007
	Pellump Ametli	DOR	04/02/13
	1698 Waterbury Road		
	Site Plan – House	MAD	06/06/13

**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 construction of a single family house at 1698 Waterbury Road.
2. That the applicant's land surveyor indicates that 3 cubic yards of fill will be placed in the upland review area for grading purposes, and that this fill will not extend within 20 feet of the wetlands.

3. That the applicant has indicated that the septic system has been abandoned in accordance with requirements from Chesprocott and that the new house will connect to the public sewer.
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 #2013-007, the permit application of PELLUMP AMETLI as presented on the plans entitled:**

**“Zoning Location Survey  
Plot Plan for House  
Assessors Lot 16  
Prepared for Pellump Ametli  
1698 Waterbury Road, Cheshire CT  
Scale 1”-20’: Dated March 29, 2013  
By Robert C Green”.**

**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. Prior to the commencement of clearing, grading or any construction activities covered under this permit the applicant shall provide adequate (48 hour) notification to Staff, so that Staff may verify that the following items have been completed by a qualified party:
  - a. The accurate staking or flagging of all clearing limits conducted by a qualified individual. Staff may insist on additional staking or flagging if warranted by field conditions.

- b. The proper installation of all sediment and erosion controls indicated on the above referenced plans. Staff may insist on additional controls if warranted by field conditions.
  - c. The proper and permanent installation of non-encroachment markers along the wetland boundary as located in the above referenced site plan.
- 4. All disturbed areas on the site not directly required for construction activities shall be temporarily seeded and hayed until the site is permanently stabilized.
  - 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 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.
  - 6. This permit grant shall expire April 16, 2018.

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

6.	Permit Application	APP	#2013-008
	Ricci Construction Group, Inc.	DOR	04/02/13
	Sperry Road/Crestwood Drive		
	Subdivision	MAD	06/06/13

John Gable of CT Consulting Engineers was present on behalf of the applicant Ricci Construction.

Mr. Gable explained at the last meeting they went over what the application was about and he guessed the Commission felt they needed to do a site walk to see what impact they needed to do if any with the proposed impact to the wetlands.

Mr. Gable said he did go on the walk with David Brzozwski and the Chair. He said at that meeting he expressed that there was really no issues with what he saw but he just wanted to see if other Commission members had any comments regarding the site walk.

**Dr. Dimmick said they did receive a memorandum from the engineering department concerning this.**

**Mr. Gable said they did fix the road layout – the closest point – the discharge point that they saw that they had concern with did not change – that stayed in the same spot; the road just came a little closer but it didn't impact anything.**

**Mr. Gable stated that the hydrologic report was also updated and they had to add a few more infiltrators to each lot so there was a zero percent increase.**

**Dr. Dimmick said so you have responded to the engineering department's comments.**

**Ms. Simone said the latest engineering comments dates April 16, 2013 show that item number one is addressed; and that item two remains standing and item three there is a variation on the previous comment.**

**Ms. Simone read the April 16, 2013 Engineering comments that were addressed to the Inland Wetlands Commission regarding the subdivision, Royal Crest Estates, Ricci: it indicates that number one is addressed; number two states: All infiltrators should be labeled on the plans; number three: The cul-de-sac does not conform to the Engineering Department specifications. There is insufficient cover over the storm drainage at CBs 1 and 2. The roadway does not show sidewalks which would increase the amount of impervious surface above that used for the current calculations.**

**Mr. Gable said he could address those comments - he stated they did label all of the infiltrators on all the three lots. He said as far as the cover over there – they need a minimum of 2' of cover over there – he said he thought they addressed those in the new plans – he said he did not know if they got them yet but the applicant has made an application to Zoning.**

**Dr. Dimmick said they have plans received April 12, 2013 – he asked are those the revised plans – he said the plans were revised April 11 and received April 12 so do those changes show on there.**

**Mr. Gable stated yes. He said noted that they are also asking for a waiver for sidewalks for the subdivision – there are no sidewalks at all on Crestwood so with their application with Zoning they are**

asking for a waiver of that. He also said the pervious area for that has been taken care of in their drainage calculations.

The Commission still needed to determine significance on this application.

Ms. Simone, Mr. Brzozwski Mr. McPhee and Ms. Dunne visited the site on separate visits.

Mr. Brzozwski said it seemed like there was no encroachment what so ever in the wetlands – he said actually they were quite a distance away from the main trunk of the road. He said the only concern that they looked at was the big drop-off from the current grade of the road to the slope down into the new road.

Mr. Brzozwski said as the applicant addressed there is a lot of that material is going to be pushed down and that whole grade will be taken care of pretty well.

Dr. Dimmick said at the last meeting they had raised concerns about proper erosion controls on that –he said he was sure staff would handle that.

Ms. Dunne said the property is very steep – she said they were talking about that before and they were concerned about erosion controls.

Mr. McPhee said as Ms. Dunne mentioned the end of the current cul-de-sac going down – they just felt that the grade was steep and he was sure its covered here (in the plan) but he wanted to make sure it wasn't going to create any back-up for the abutting property as they do and insert that road.

Mr. Gable said prior to construction and when they install the sediment and control measures – they are going to have survey crew go out and stake out the non-encroachment line for that purpose so before they even clear anything get the sediment and erosion control measures up and area staked out by the surveyors so they put the stakes where they are supposed to go.

Ms. Dunne asked what it meant that it does not conform to the Engineering Department specifications of a cul-de-sac – is it not the right size.

Mr. Gable stated it's the cover over the pipe – he needs a certain amount of cover over the pipe for cars and traffic running over it so they don't crush the pipe.

Ms. Dunne said so it's not the size.

Dr. Dimmick said the original question was one of size – there was a question about the center line radius – he asked if that has been corrected.

Mr. Gable stated that has been corrected at 200 and also the width was maintained at 24' from the existing road but they increased it to 30' so a 30' tapered to the 24' with Crestwood.

Dr. Dimmick said the existing road is 24' and the new standards are 30' so you'll build your extension to the new standards and tapered into the existing road.

Mr. Gable said they had left it at 24' initially just to keep it uniform in a way but they have updated that to 30'.

Ms. Simone asked about the level spreader – if Mr. Gable could just indicate to the Commission once that's constructed if it needs to be maintained, if it will be cleaned out.

Mr. Gable explained there is an easement to that to the town – that's on the Zoning application – it's going to be addressed at that stage; he said they sent plans in the other day. He said they'll have to see what Zoning says but they will have to have the town look into that or maybe the homeowner – they are not sure how they want to address it but there is going to be an easement for that purpose.

Dr. Dimmick asked if this was going to be town road all the way through.

Mr. Gable stated it was going to be a town road so it's going to be a challenged drainage system tying into that so they fell that it's probably going to be the town's reasonability at that point.

Ms. Simone asked if there would be a need to clean out that level spreader after the construction of the road.

Mr. Gable said not as much because they have an oil water separator that's going to handle 95% or more of the sediment coming in. He

said if that's cleaned properly the level spreader is just going to have a slowing down of the velocity of the water.

Ms. Simone said and then that's something else that's also then going to be requested to be maintained by the town – the oil water separator.

Mr. Gable said that should be maintained at least once a year – pumped out.

Mr. McPhee said he was trying to understand how there were going to do this – the water that flows off of the Wickenhizer property and goes under where the proposed road is – he said he was looking at the elevations and it's difficult to follow but it looks like all the water is running down – he asked if they were doing anything under the roadway to allow water to continue to pass through.

Mr. Gable explained they did have with their other layout a pipe going into there but with the new layout there's not as much fill over in that area; so they are proposing the catch basins to catch that water coming down now with the grades.

Mr. Gable explained and showed on the plan the flows and where they would be collected in the catch basins and oil water separators.

Mr. McPhee asked if they were going to be able to achieve that with the steep grade.

Mr. Gable stated correct – he said the low spot is at station 480 so it's going to catch any water past this basin down. He said on the plan where this detail was illustrated.

Mr. Norback said he thought the problem they were having was with the elevations on the topo are every 10' and then they just disappear – he said it's really hard to follow so it was just a matter of clarification.

**Motion: That the proposed activity is not significant within the context of the Commission's regulations.**

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

Dr. Dimmick said at this point the Commission could move ahead and ask staff to see what she could do with it – if she has any

questions she would probably contact Mr. Gable. He said staff will have to go over the plans to make sure what the engineering department has asked for really does show up on the plans.

Ms. Simone said to clarify engineering should be satisfied to drafting any motion wording.

Dr. Dimmick stated yes to have an insurance that those things have been corrected – staff will need to make sure they have been and if they are then he didn't think they needed another letter from engineering if what they are asking for shows up on the new plans.

Ms. Dunne asked if it turns out sidewalks are required and they don't get the waiver what happens.

Dr. Dimmick said they'd have to come back for a modification of the permit.

Mr. Norback said he thought he understood that they had been calculated in just not illustrated.

Mr. Gable stated no – they have not because that's why they are asking for a waiver.

Tape change.

**X. NEW BUSINESS**

- 1. Request for Permitted/Non-Regulated Use Determination #2013-010  
Re: Erection of Greenhouse, Kurtz Realty, LLC, Schoolhouse Road**

Mr. Kurtz recused himself from this portion of the meeting at 8:17p.m.

Mr. EJ Kurtz, 31 East Ridge Court was present on behalf of the applicant.

Mr. Kurtz said he was here representing Kurtz Farms.

Mr. Kurtz has requested a determination of whether or not a permit was needed for the proposed activities.

Mr. Kurtz said the map shows a few existing greenhouses that they have – they would like to build a new greenhouse in that area which



would require taking down the existing greenhouses that are there and putting up the new one.

Mr. Kurtz said it doesn't look like they are inside that 50' upland review area.

Ms. Simone reviewed the map and said it goes just inside it.

Ms. Simone said what's requested is removing five separate buildings and construction one building.

Mr. Kurtz said it's a part was paved on one side.

Ms. Simone said there is a pond that is pretty clearly defined.

Mr. Kurtz stated the pond is more than 50' away.

Ms. Simone said and that is surrounded by stone or pavement.

Mr. Kurtz said that's pavement.

Ms. Simone stated so the boundary of this is quite defined.

Mr. Kurtz stated yes.

The Commission reviewed the map showing the pond area and the location of the wetlands.

Mr. Kurtz said they are taking a greenhouse of the 50' upland review area and taking it further away from the wetlands.

Dr. Dimmick said the relevant part of this is found under their regulations under activities permitted as of right which is to say in section 4 "uses permitted as of right and non-regulated uses; 4.1 a1 covers farming activities and its states that "provision of subsection should not construed to include road construction, erection of buildings not directly related to the farming operation"; he said in this particular case it's a double negative but what its saying is you can erect a building or construct a road for farming operation that is within the Commission's area of jurisdiction if the purpose is directly related to the farming operations so it's ours to determine whether or not that is the case and if that is the case and if they so determine then we have something which is permitted.

Mr. Norback said it seems obviously that it is directly related.

**Dr. Dimmick said that state law does require that they come to the Commission to ask and the Commission always appreciates that.**

**Ms. Dunne said it fits the others to because it doesn't relocate a watercourse or change a wetland or there is no clear cutting of timber or any of the other activities.**

**Motion: That the proposed activity is as of right under section 4.1 a1 of the Commission's regulations and that the proposed activity does not need a permit.**

**Moved by Mr. McPhee. Seconded by Mr. Norback. Motion approved 5-0-1 with Mr. Earl Kurtz not being present for the vote.**

**Mr. Earl Kurtz returned to the meeting at 8:22 p.m.**

**XI. ADJOURNMENT**

**The meeting was adjourned at 8:23 p.m. by the consensus of Commission members present.**

**Respectfully submitted:**

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