

Motion: To approved the minutes of the September 17, 2013 public hearing and regular meting with corrections.

Public Hearing: Pg. 1 L41 “there” to “they”; pg. 2 L22, 24, 39 “its” to “it’s”, L26 “it’s” to “it”, “is” to “was” ; pg. 3 L39 “baring” to “bearing”, L43 “but” to “put”; Pg. 4 L14 “its” to “it’s”, L19 “sediement” to “sediment”; pg. 7 L31 “inmacrovert” to “macroinvertebrate”; Pg. 8 L12 & 16 “loam” to “boom” and “loam” to “booms”, L51 “throughout” to “thought out.”

Regular Meeting: Pg. 5 L6 “value” to “valve”; Pg. 6 L14 “elevation” to “evaluation”; p. 8 L47 “decencies” to deficiencies”; pg. 10 L16 “have” to “half”; L28 “there” to “their”; pg. 12 L47 “to” to “no.”

Moved by Ms. Dunne. Seconded by Mr. Kurtz.

Motion approved 5-0-1 with Chairman de Jongh abstaining from the vote. Chairman de Jongh was not present at the September 17, 2013 meeting.

VI. COMMUNICATIONS

1. CACIWC 36th Annual Meeting and Conference - 11/16/13

This communication was reviewed.

Ms. Simone said if any members were interested in attending they should tell staff so that information can be processed.

2. Staff Communication: Town of Cheshire; Blacks Road Bridge Reconstruction; Application #2013-025

This communication was reviewed.

Ms. Simone stated this item is on the agenda under unfinished business tonight.

3. Staff Communication: Town of Cheshire; West Main to Jarvis Street Farmington Canal Greenway; Application #2013-026

This communication was reviewed.

Ms. Simone stated this item is on the agenda under new business tonight.

4. Staff Communication: Shawn Stanziale; South Meriden Road Single Family House; Application #2013-027

This communication was reviewed.

Ms. Simone stated this item is on the agenda under new business tonight.

VII. INSPECTION REPORTS

1. Written Inspections

Ms. Simone stated there were no written inspections.

2. Staff Inspections

a. Judson Court

Ms. Simone said there was a staff inspection of Judson Court – their erosion controls while they're building a single family house.

b. Crestwood Drive

Ms. Simone stated there was an inspection of Crestwood Drive – that subdivision was approved recently from this Commission and they're extending the road at this current time.

c. Apex Developers, LLC Enforcement Action Follow-up

Ms. Simone said she followed up with the inspection under the enforcement actions number two on South Meriden Road and found that the erosion controls were up and functioning.

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 said this remains on our agenda for continued monitoring.

Chairman de Jongh explained they have been trying to find a way to be able to maybe put this into an inactive status rather than keeping it on the agenda for six years. He said what they might do is to ask staff to research how they might go about doing that and still within the legal confines of what they can and can't do but there's no sense in carrying this thing on for six years.

Chairman de Jongh said the problem is as he understands it is the applicant has not gotten back to us.

Ms. Simone said no they haven't responded to inquiries – all that she's looking for is just verification that the shrubs were planted.

Ms. Simone explained there is an aerial photograph.

The Commission reviewed the photograph.

Ms. Simone said the town took an aerial shot of the entire town in 2012 and you can see the location of the house; the area circled pink is the general area where it was cleared previously – the yellow line that you see going across the left side of the page – that indicates the state boundary so this butts right up against state forest and the history of this property is that she was contacted by a forester that works for the State of Connecticut and that they had found upon routine inspection of their boundaries of the forest that the area was cleared and it appeared as though there was a like a hill that had been cleared and they were using it during the winter time.

Ms. Simone said that's how this whole process started; they homeowners came in – they got a permit to put in some shrubs to remediate the site as well as to allow it re-vegetate.

Ms. Simone said the last time she went out there that she had access to going out there upon their authorization I saw that there was vegetation growing back in but no shrubs as of then but they haven't responded to inquiries just to get a follow up to see where they're at with that.

Mr. Norback asked if staff could gain access through the state property and just eyeball it and see if we can this behind us.

Ms. Simone said she went out that way with the state forester and we didn't follow any trails – she said she did not know where they were in relation to this property.

Chairman de Jongh said they'll allow staff to research how they might be able to put this in a category that otherwise doesn't exist on our agenda right now and treat it that way.

2. **Unauthorized Activities in a Regulated Wetland Area** **SC 9/17/13**
Apex Developers, LLC
South Meriden Road

Ms. Simone said she has been in communication with the permit holder and he has indicated that he has hired a surveyor to go out this week to use GPS to identify the clearing limits that were already put in the fields and compare them to the subdivision that was approved by this Commission and then also they will evaluate the erosion controls and then will submit a written report to this Commission for the next meeting.

IX. UNFINISHED BUSINESS

1. Permit Application	APP	#2013-025
Town of Cheshire	DOR	9/03/13
330 & 355 Blacks Road	PH	9/17/13
Bridge Replacement	MAD	10/22/13

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, site visitations, and after review of written information provided by the applicant on this application finds the following:

1. That the applicant is seeking a permit to reconstruct the Blacks Road Bridge over Honeypot Brook.
2. That the three private property owners abutting the culvert have signed the applications.
3. That the new bridge will be underpinned by 24 micropiles, 12 on both the north and south sides. Intermediate sized rip rap will be utilized within the stream channel to slow flow velocity. The current scouring conditions will be corrected by gravel placement and redesign of the stormwater system along the street.
4. That the Cheshire Inland Wetlands and Watercourses Commission held a public hearing on this application on September 17, 2013.
5. That the 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 #2013-025, the permit application of Town of Cheshire Department of Public Works for site plan approval as presented and shown on the plans entitled:

**“Reconstruction of Blacks Road Bridge
Bridge No. 025-018
Blacks Road, Cheshire, CT
Local Regulatory Plans
1047-47
Dated: August 28, 2013
Scale Varies on 17 Sheets
Prepared By: Milone and MacBroom, Inc.”**

And

**“Inland Wetlands and Watercourses Permit Application
Reconstruction of Black Road Bridge Over Honeypot
Brook
Cheshire, CT.
Dated: August 28, 2013
Contains Multiple Sections
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 any clearing, earthmoving and/or construction activities, the applicant shall accurately stake and flag clearing limits and properly install erosion controls.**
- 4. All recommendations from the Connecticut Department of Energy and Environmental Protection regarding protective**

measure for Natural Diversity Database species shall be stringently adhered to.

5. Throughout the course of conducting construction activities, 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 grant shall expire on October 1, 2018.

Moved by Dr. Dimmick. Seconded by Mr. Kurtz.

Ms. Dunne said the report indicates that there was some concern about Natural Diversity Database and she wondered if there had been any response to that yet or if that's still outstanding.

Ms. Simone stated they haven't received any response from the state indicating that they've completed their review.

Ms. Dunne said what's stated in number four – it says that all recommendations from the Environmental Protection have to be complied with but that means if they don't have a recommendation – it doesn't stop them from doing anything until they have those recommendations – she said she wondered if that was the regular way. She stated she had concern about that.

Mr. Kurtz said they need permission from the state to start.

Ms. Simone said they do need a state permit for this project as well and part of that is that they'll receive material on the endangered species and how to manage the site so they aren't requirements so much as they are guidelines and suggestions of this particular species is found in this area and this is what you should do to try minimize impact to the habitat.

Ms. Simone asked if they will receive that before they start moving forward with the project.

Ms. Simone said she believed so – that’s usually how the state does that and if they have enough lead time in the past we’ve also gotten copies before the approval is drafted.

Mr. Norback asked how they are assured compliance.

Mr. Kurtz said with the state’s blessing we don’t have any choice in the matter at that point.

Ms. Simone said she thought that this was the intent of that language is not so much that the town would be monitoring the state requirement business but that if the state found that they were in violation then that triggers that then this Commission could review to say then they are in violation of their local permit as well.

There were no other questions or comments.

Motion approved unanimously by Commission members present.

X. NEW BUSINESS

1.	Permit Application	APP	#2013-026
	Town of Cheshire	DOR	10/01/13
	West Main and Jarvis Street		
	Construct Farmington Canal Greenway	MAD	12/05/13

Tom Sheil of Milone and MacBroom was present on behalf of the applicant.

Mr. Sheil made the plans visible for the Commission’s review.

Mr. Sheil said he had a letter from the owner of property – the Connecticut Department of Energy and Environmental Protection – Laurie Giannotti.

Ms. Simone stated that Commission members received a copy of the letter today for the record and she handed out copies for Commission members.

Mr. Sheil said they (Connecticut Department of Energy and Environmental Protection) wanted to notify the Commission that they were aware of the application.

Ms. Simone said there is no owner's signature on the application so she had requested that the state supply something acknowledging that they own the property and that they are authorizing the state to take the application out.

Mr. Sheil said the purpose of the presentation tonight is simple to introduce the project and to request that the Commission accept the application and schedule a public hearing.

Mr. Sheil said we have a graphic for you and if they have not walked the section of greenway from West Main Street to Jarvis Street – this is a picture of the 8,000 some odd foot length of the trail – in addition there's another 400' section of trail that will be built north of Jarvis Street and at the terminus there'll be a parking lot for 69 parking spaces and a little bridge that goes over the canal to construct the trail.

Mr. Sheil said starting from your left (on the plan) up at the corner is West Main Street and the blue denotes the watercourse for the canal – the gray would be the trail that's the rail bed in place – you can see the neighborhoods that we're passing by – Chestnut Street, Sheridan, Cambridge, Sycamore - Peck Lane comes across right into Jarvis.

Mr. Sheil said the Dodd School neighborhood is across the canal – then Overlook, Lincoln, and etc.

Mr. Sheil said up at West Main Street we have our crossing – the island in West Main Street and then Lyon & Billard Lumberyard and all their associated work to the east. Mr. Sheil said north was coming towards me (on the plan); to the west is up and to the east is down so westerly is Lyon & Billard; then there's the commercial activity with the gas station on the east side as well.

Mr. Sheil stated there are a lot of wetlands all associated through here – we have a number of regulated activities – direct regulated activities there totally about 26,000 SF of direct wetland impact.

Mr. Sheil stated they have submitted to the Army Corp of Engineers and CT DEP for the non-local permits – federal and state – that application is pending so there are a series of applications that have been made.

Mr. Sheil said submitted with this application a documents which you'll be going through which includes a full environmental

assessment – a wetlands report, a Natural Diversity Database report, an analysis of the impacts themselves, and a compensation and mitigation plan for compensation.

Mr. Sheil said in a nutshell they are going to ask permission to build a 12' wide trail over a rail bed and it happens to run along side the Farmington Canal – it's a very pretty stretch – when you go out there and see if you're going to enjoy it.

Mr. Sheil said there's two areas where the significant activity is going to occur in terms of regulated impact; one will be where the blue is most noticeable (on the plan) – that's open water right next to trail and in that particular location for about 800' of walking length the railroad bed is actually depressed over time so in heavy rains that area actually is initiated for about 800' – it's water.

Mr. Norback asked about the 12' wide that they are proposing as far as it exists now with they gray strip there – how wide is it typically particularly through the very wet areas – do we have 12' to work with.

Mr. Sheil said when they go through the very wet area we are going to take it to ten feet because they want to limit the impact so they have a taper from 12' to 10' for about 800' then they are going to widen back out to 12' where we have more room – he said you really have about he would say about – he would have to look at the plans but you really only have about 15' – 16' before you're at the edge of the water as you go through there.

Mr. Norback asked if that's under existing conditions.

Mr. Sheil stated yes. He said it narrows though there – there's a water system on the uphill side which is the upper – the west side – the water drains to a – and you'll see if when you go out – from Robin Court the water drains to a pond area.

Mr. Sheil explained in heavy rains in the spring and in the fall when the ground water level is high – when you get the rains then that water will wash over the trail.

Mr. Sheil said he didn't mean to keep you here long because there's lots of work to do here – you're going to want to walk this site – you're going to want to see how pretty it is – you're going to examine the plans and take a look at what we're doing.

Mr. Sheil said that is an impact area that he thinks they're going to focus on.

Mr. Sheil said we have a series of miscellaneous – like culvert crossings which have direct wetland impacts and we think those are minor in nature.

Mr. Sheil said the only other area that we think is really an area that you may really want to focus on is the parking area and the bridge and the crossing of the canal – he said there were two major areas to focus on and the other systems are small impact areas.

Mr. Sheil said so for instance out of the 26,000 SF like 19,000 of it is in the trail crossing.

Mr. Sheil said so he didn't want to spend a lot of time tonight going through a full presentation for them because there's a lot to talk about – and he thinks they're probably going to want to walk the site and develop their own questions – there's going to be a public hearing and we'll have a full vote of professionals to talk about it at that time but it's a great project – we'll have lots of things to talk about – we're excited about it and you know if there's some questions he can answer – like anything you've got tonight just feel free to jump in and ask and if there's no other questions we'd request that you accept the application – deem it complete and see if we can schedule a public hearing.

Mr. Kurtz said he had a question – he said it looks like the track shifts behind Chestnut Street.

Mr. Sheil said what happens there is that there's a low spot and there's a high spot and the rail bed is low and when you go out there you're going to see a path that goes up high and that's where ATV users use it and off rough road – they actually come up along side the right of way and they come high and we actually brought the trail up high where the path is – the people are walking where it's not wet – he said there's no sense in setting it low so what we're going to do – this becomes a little bit of a feature for the trail because we are going to bring the trail up a little bit high so it's dry and then the low area we're going to take railroad ties and we're going to place them and do plantings in there to make like a statement of the historical nature of the trail so we think that will be kind of nice – you know as a feature.

Mr. Sheil said there are amenities that they are proposing – we'd like to put a small overlook area off the trail so people can actually go off the trail and actually stand and look out over the wetlands so we'll

talk about that and see if that's okay with the Commission and there are other similar features.

Dr. Dimmick said between now and the public hearing this particular photo that you have – is there going to be a copy for us or is there a place where we can go take a look at it.

Mr. Sheil said he could do a couple of things – we can send a PDF of it to Suzanne.

Ms. Simone said she didn't know if they could print it.

Mr. Sheil said they could do 11" by 17" copies.

Dr. Dimmick asked if they could come by your office.

Mr. Sheil said we could provide you with a couple copies if they want. He said the only problem with this graphic is that they didn't update it with the parking lot – there's a smaller parking lot here (he pointed to a location on the plan).

Dr. Dimmick said this particular photo has some features he wanted to check on. He said he wanted to take a quick look at it.

Dr. Dimmick approached the plan on display for his review.

Dr. Dimmick asked Mr. Sheil if he remembered the collapsed mine shaft.

Mr. Sheil showed the location of the shaft on the plan.

Dr. Dimmick talked about areas where he was tracing holes where there might be clasped air shafts; he said he found one in the area he showed on the plan.

Mr. Sheil said he didn't know that and that was really interesting.

Mr. Sheil said he stood in that shaft before it was filled.

Dr. Dimmick said one of the old barite mines - there's a 300' deep mine shaft where there's looking for the vacant lot – going more or less north or north east – south – south west from that there's horizontal add-it's and they put an air shaft in every 100' or so and every once and a while one of them collapses – the air shafts are relatively small.

Mr. Sheil said what they did is when you go out to Chestnut – there are a couple of houses and a big lawn area and they put a concrete cap over the top and they put top and earth.

Dr. Dimmick said he was very much concerned with that because he found that shaft to begin with – the main shaft when we went out on a wetlands trip - for the original property.

Mr. Sheil said for Paul Bowman’s job.

Dr. Dimmick said he told the engineer to check because he thought there was a more shaft there and he did and there was a 300’ deep shaft and then afterwards he’s been out there looking for other evidence.

Chairman de Jongh said as Mr. Sheil was showing the illustration he was thinking about the barite mines in that area which brings to question something that might be raised by the public and that is the possibility the work being done on the canal without in any way impact the concerns that those residents have in that area.

Mr. Sheil said for the barite mines.

Chairman de Jongh said yes – disrupting any kind – he said he did know what kind of activity is going to be going on relative to construction of the trail.

Mr. Sheil said remember this area did support a railroad and so we are going to be driving on what was a railroad bed.

Chairman de Jongh said he was just raising an issue that may come up in a public hearing.

Mr. Sheil said they have had a public presentation and that was held as part of the process of design.

Mr. Sheil explained after they submitted their preliminary design before we submitted to you, the Army Corp and to the CT Energy and Environmental Protection – we were mandated to hold a public presentation and that was held in the spring and there was feedback from the neighbors at that time.

Mr. Sheil said so we’re actually going to be meeting with them to talk about whatever screening that they have interest in doing and the like.

Mr. Sheil said there is a open process and so you're public meetings will be following on the heels of the initial public presentation.

Chairman de Jongh said it appears that they have sufficient information to move this forward.

Motion: That the Commission declares the proposed activity significant within the context of the regulations specially 10.2 (a) environmental impacts the proposed regulated activity on wetlands and watercourses, (c) relationship between short term and long impacts on proposed regulated activities on wetlands or watercourses and (e) character and degree of injury to or interference with safety, health or reasonable use of property including abutting or downstream property.

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

Chairman de Jongh said they need to schedule a field trip.

The Commission discussed the date and time for a field trip.

Commission members discussed trying to coordinate a field trip and/or members reviewing the site independently.

A field trip was scheduled for Saturday, October 19, 2013 at 8:00 a.m. Mr. Sheil and Commission members agreed to meet at a parking lot on West Main Street.

Chairman de Jongh said they would postpone any further discussions on this pending the results of the field trip.

The Commission discussed the appropriate date to schedule for the public hearing.

The Commission agreed to postpone the determination of the date of the public hearing until the next meeting.

2.	Permit Application	APP	#2013-027
	Shawn Stanziale	DOR	10/01/13
	South Meriden Road		
	Site Plan – House	MAD	12/05/13

Ryan McEvoy, PE of Milone and MacBroom was present on behalf of the applicant.

Shawn Stanziale, the applicant was present in the audience.

Mr. McEvoy addressed the Commission. He stated that Mr. Stanziale was also present if the Commission had any questions for him.

Mr. McEvoy said they were here for a site plan application for lot one of Bishops Corner which is a subdivision that was approved by this Commission in April of this year.

Mr. McEvoy said lot one is the largest of the six lots of the development totally about 18 acres in size.

Mr. McEvoy said for the purposes of this application we are focusing our presentation on the area nearest to South Meriden Road because that's where the development is proposed to take place for this property.

Mr. McEvoy said on this particular plan Yalesville Road/Route 68 heading to the east is on the right hand side – South Meriden Road/Routes 70 and 68 heading up east and to the north with Academy Road heading to the west – so there's a sense of the junction of the three roads.

Mr. McEvoy explained it is mostly wooded today except for historically agricultural areas on the front portion of the property which is again where the house and the driveway septic area are proposed.

Mr. McEvoy said the area is relatively flat and slopes about 2% to 3% coming down from the roadway back to the rear – most of the back 15-16 acres or so of the property are flagged as wetlands.

Mr. McEvoy said they did not do a details investigation going to the rear most part of the property but again it's mostly wetlands and we are not proposing anything in the back at this time.

Mr. McEvoy said what they are looking do is a single family house, septic system – driveway and grading.

Mr. McEvoy said during the subdivision review process – they did reach out to the DOT with regard to what they may require for clearing within the right of way and on the property for sight lines and as you (the Commission) may recall during the application in front of this Commission we spoke of the possibility of clearing that might be required on the property and within the regulated area and the wetlands themselves and the DOT would like to see all the trees

that are within the sight line triangle removed in order to provide a safe sight distance from the proposed driveway location.

Mr. McEvoy said so the result is and the plans are perhaps a little bit confusing but we've broken out the activities into two distinct areas – the first being from the driveway location looking west – the area of clearing that's needed to establish sightlines and what will have to happen is clearing of the upland review area and the removal of really four trees that are in the wetland area – the wetland has been historically cleared and is right now overgrown with some poison ivy and things of that nature.

Mr. McEvoy said so we're asking for they permission to cut down four trees and to maintain this area essentially as lawn to prevent overgrowth in the future that could limit the ability to see out of the driveway.

Mr. McEvoy said in addition to that the total impact is 27,030 SF in the upland area and 3,200 SF in the wetland of which the only thing that's really changing in terms of the surface characteristics of the wetlands are the four trees that we've shown on the plan that need to be cut down.

Mr. McEvoy said they are not going to be stumping them or grinding them – the stumps will remain in place so it's really a very limited impact if not to the wetland soil itself if not no impact but we did want to at least approximate the area that is in fact wetland as an area that's going to be maintained more of less as lawn to prevent issues with sight lines.

Mr. McEvoy said additionally the location of the house and septic system is slightly different then what was on the original plans – the house is more or less in the same location but the septic system you may recall was located on the down slope side.

Mr. McEvoy said while they did some retesting of the soils in the upslope area of the property and found that it's slightly more advantageous for a septic system.

Mr. McEvoy said there's still going to have to be a 50' separation between rows because of high ground water condition but the location of the system actually even though a portion does fall within the upland review area the impact of the wetlands is going to be diminished because of the fact that the grade – the existing topography flows from east to west so even though there is activity with the septic within 50' - the wetlands are actually upslope of the

septic system – it's not a conventional location for wetlands obviously but in this particular case the soil conditions upslope to meet the criteria for an inland wetland.

Mr. McEvoy said we are also proposing some grading within the upland review area in the back of the house and we're not proposing to extend the tree line in that area at all.

Mr. McEvoy explained that in fact that area was historically cleared and is currently cleared so they are not looking to extend the tree line at all on the rear side of the house and on the west side of the house we're looking to pull back the tree line somewhat into the upland review area – this area is very flat – very gentle slopes 1% to 2% in grade and the result is that we're asking for 20,000 SF of impact of which 13,000 SF is already cleared area so it's not really going to be a change in the coverage of the soil – we just wanted to present that it will be maintained as lawn.

Dr. Dimmick said let me ask at this point – these sections for the leaching gallery shown on sheet two – does that match the proposed leaching system you have because it shows 5' of fill and he doesn't see 5' of fill on the map on the first page.

Mr. McEvoy said because of the fact that the septic system is located upslope in existing grade from where the house is we had to design the system more or less at existing grade – it's going to be a fill system and in order to get pitch by gravity from the house to the system we had to raise the grade of the house and there's actually an added benefit of doing that in that the basement will be out of the ground water which is anywhere from 2' to 4' below grade so the basement floor of the house is actually going to be at or just into existing grade.

Dr. Dimmick said it shows 5' of fill on top of where the leaching system itself is – he said he didn't see 5' of fill in the contours for the leaching system.

Mr. McEvoy said the finished grade in the area of the lower leaching area is about 261 in an area where the existing contours are approximately 256.

Dr. Dimmick said okay so this fill is going way out here – he pointed to on the plan.

Mr. McEvoy said yes – and in fact we are filling over the system for the drive and that’s where he was going with that – the driveway is there.

Mr. McEvoy said and as with any lot like this they are proposing sediment and erosion controls down slope limits of construction.

Mr. McEvoy stated he did have a discussion with staff about they potential for additional silt fence to the south of the driveway – there is a portion in this area that will drain towards the wetland and they’ll be happy to add sediment and erosion controls in that area.

Mr. McEvoy said he also had a discussion with Suzanne about the potential of placing conservation or the wetland markers – he said he had a graphic that he’d like to submit for the Commission’s consideration with the possible placement of those markers with their consent.

Mr. McEvoy said given the grades on the property we feel the spacing is more than appropriate because it will visually very easy to see from one marker to another.

The Commission reviewed the graphic submitted by Mr. McEvoy.

Mr. McEvoy said there is also one item that he spoke about with the applicant that’s not shown on our plan but because of the fact that this site is mostly open right now or very lightly vegetated he (Mr. Stanziale) has a concern in the future of the impact of headlights coming down Route 68 coming right into the side of his house and so he was hoping to do is plant some Evergreens for visual screening to block headlights upslope of the septic system – White Pines or things of that nature.

Mr. McEvoy said so those are the other plans but that is something they would like to consider in the future if the headlight issue becomes an annoyance.

Chairman de Jongh asked if Mr. McEvoy said the area along South Meriden Road/68 as you take the bend towards Yalesville Road – is that area going to be lawn or is that just going to be a mowed area/natural vegetation but not allowed to grow to a certain height – how’s that going to be maintained.

Mr. McEvoy said it’s going to be mowed periodically so ultimately is more or less lawn in the sense that he didn’t think they wanted it to get 3’ to 4’ high and then have to try to cut it down – he said he

though the applicant would want to keep that maintained as he would maintain the rest of his property.

Ms. Simone asked if it would be seeded as a lawn or just managed as a meadow basically.

Mr. McEvoy said in terms of removing the vegetation there and putting in top soil and seed – he said he would think that particularly in this area towards Yalesville he didn't want to speak for the applicant.

Mr. Stanziale said he really just wanted visibility – he really just wanted to see coming out of there.

Dr. Dimmick said when you start putting in top soil that's fill in a wetlands.

Mr. McEvoy said they are not looking to do anything like that – ultimately it's really just a case of cutting what's there.

Chairman de Jongh said so it's going to be maintained more as a meadow – for a lawn we are talking about fertilizers....and the whole nine yards

Mr. McEvoy said right as a meadow.

Chairman de Jongh said it's apparent that they have sufficient information to move to the next step.

Ms. Simone said there was not a public hearing on this item – it has an approval for a subdivision.

Chairman de Jongh said they did a field trip back in April 2013.

Chairman de Jongh said so they need to determine the issue of significance.

Dr. Dimmick said he was of two minds on this – it is and it isn't.

Mr. Kurtz said they saw it before with the idea of putting a house there – and it hasn't changed and we knew before it wasn't an easy lot but we still decided we could have a house there so now we have the house in front of us.

Mr. Kurtz said in his opinion he didn't think it was very significant because they already faced the issue.

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

Moved by Mr. Kurtz. Seconded by Mr. Norback.

Chairman de Jongh said as they saw on the field trip this area already had been disturbed and while we certainly had concerns over that one area of wetland we were also pretty mindful of the fact that DOT was going to make sure that changed from what we saw on site – there wasn't much we could do about that so personally he was in agreement with the motion.

Motion approved unanimously by Commission members present.

Chairman de Jongh said they'll allow staff to work her magic pen and we can take this up at our next meeting.

At this point in the meeting the Commission returned to the approval of the minutes from the September 17, 2013 public hearing and regular meeting.

XI. ADJOURNMENT

The meeting was adjourned at 8:13 p.m. by the consensus of Commission members present.

Respectfully submitted:

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