

**CHESHIRE INLAND WETLANDS AND WATERCOURSES COMMISSION
PUBLIC HEARING
TUESDAY, DECEMBER 3, 2013
TOWN HALL 84 SOUTH MAIN STREET
Room 207/209 – 7:30 p.m.**

Members present: Robert de Jongh, Charles Dimmick, Dave Brzozowski, Earl Kurtz, Will McPhee, and Thom Norback.

Member absent: Kerrie Dunne

Staff: Suzanne Simone.

Mr. Kurtz served as secretary pro-tem in Ms. Dunne's absence.

I. CALL TO ORDER

Chairman de Jongh called the public hearing to order at 7:30 p.m.

II. PLEDGE OF ALLEGIANCE

All present recited the pledge allegiance.

III. ROLL CALL

Mr. Kurtz called the roll.

Members present were Robert de Jongh, Charles Dimmick, Dave Brzozowski, Earl Kurtz, Will McPhee, and Thom Norback.

Mr. Kurtz read the legal call to open the public hearings on the following items:

V. BUSINESS

1. Permit Application	APP	#2013-028
John Romanik, Jr.	DOR	10/15/13
Whispering Hollow Court	PH	11/07/13
Site Plan - House	PH	11/19/13
	PH	12/03/13
	MAD	1/07/13

Chairman de Jongh said there was a letter received dated December 3, 2013 addressed to Inland Wetlands and Watercourse Commission: "Dear Commission members: We have not been able to prepare additional information requested by the Commission. Accordingly,

we are hereby requesting that the public hearing scheduled for December 3, 2013 be continued to your meeting on January 7, 2014

The applicant hereby grants an extension of the time period within which the Commission must close the public hearing to January 7, 2014.

Very truly yours, Fazzone, Ryan & Ricciutti, LLC; Attorneys for the Applicant by Anthony Fazzone.”

Attorney Fazzone was present and had no comments to make regarding the request.

There were no objections from Commission members to grant the request for a continuation.

Chairman de Jongh stated this item would be continued to January 7, 2014.

2. Permit Application	APP	#2013-031
Town of Cheshire	DOR	11/07/13
Creamery Road	PH	12/03/13
Bridge Replacement	MAD	1/07/14

Walt Gancarz, town engineer for the Town of Cheshire was present. Mike Fanning, PE design engineer of WMC Consulting and Scott Stevens of Soil Science and Environmental Service were also present.

Mr. Gancarz said he was going to give the Commission a brief overview and then we have representatives of WMC Consulting – the design engineer and Soil Science who did the wetlands work out here.

Mr. Gancarz explained it's a small bridge – it actually dates backs to 1930 and then there was a rehab of the deck done in 1980 – the original abutments date back to 1930.

Mr. Gancarz said it's in very poor condition that's made it illegible for a state grant under the local bridge program so the work when it's done would be illegible to be reimbursed at 31% grant to the town.

Mr. Gancarz explained it's a pretty small structure – its only 4' deep wide – its only got a 2.5' clear opening mainly because the beams that were put in are very deep – there're a couple of feet deep.

Mr. Gancarz said what they're proposing to replace it with is a box culvert 18' wide with a 5' opening and associated wing walls.

Mr. Gancarz stated there are a few utilities that will have to be moved as part of it – mainly a gas main that runs on the southerly side of the road and comes right through the bridge so that's going to have to be relocated around it to install the bridge.

Mr. Gancarz said existing water and sewer we can accommodate then there's an overhead poll on the southeast side.

Mr. Gancarz said it (the new bridge) will provide a more adequate hydrologic opening – and we'll speak to that – it's pretty minimal about 4/100th of an acre of wetlands or watercourse that would be disturbed as part of it.

Mr. Gancarz said he did speak with the two abutting/adjacent property owners – there's the cuff stream side or south side of the bridge – they (property owners) signed off on the application – they don't have any issues and on the downstream side the property owners and the only thing they had a question about was if there would be increased flooding at all.

Mr. Gancarz explained actually this (the project) will lower the water surface elevation.

Mr. Gancarz said interestingly enough and some of you may be familiar with it – maybe one hundred yards down stream of this bridge is an old railway embankment and so there's a very wide opening down there much larger than the opening that we have – its probably 30' wide – it did look like there were some downed trees back there – he said he actually talked to Suzanne about possibility of public works going in there with chain saws and removing them from the stream – they do have the potential to catch a bunch of debris and back up into the pond.

Mr. Gancarz stated that both of them (abutting/adjacent property owners) were satisfied and signed off on the application.

Mr. Gancarz said I think those were kind of the main items that I wanted to hit on – a more detailed analysis would be given by our consultants.

Chairman de Jongh said he had one question- he said he drives over that (the bridge) everyday as I know you do to and the "protection handles" I'll call them – those pipes that stick up as a safety – are those all going to be repaired and upgraded.

Mr. Gancarz stated yes – everything will be upgraded – it actually will be printed concrete.

Chairman de Jongh said similar to what was done on Country Club.

Mr. Gancarz stated yes.

Mr. Gancarz said this is frankly a little bit less noticeable because there are really no properties up stream or downstream – they don't have a very good view at all – the upstream there's really no view – the downstream a little bit more.

Dr. Dimmick asked about the opening your going to create compared to the one of Country Club.

Mr. Gancarz said it's slightly larger – this is downstream – we kind of already have three of these – Blacks Road, Country Club Road – this is the one in the middle so they fit kind of nicely together – we used the same hydrologic for the two other bridges.

Dr. Dimmick asked if the plans showed two streams coming in or is that an island.

Mr. Gancarz said its one stream – it just kind of break around.

Mr. Norback said compared to the Country Club Road Bridge the road surface to stream surface is only a matter of 5' – the other one had to be 13' to 15' right – this really is insignificant as far the regrading.

Mr. Fanning of WMC Consulting Engineers – a registered professional engineer licensed in Connecticut stated there's a lot less elevation available here.

Mr. Fanning stated with him tonight is Scott Stevens from Soil Sciences.

Mr. Fanning said this is like the other crossings – its an approximate A zone from FEMA which means there's no water surface elevations available – low rates – its just a rough approximation of the elevation.

Mr. Fanning said currently the road over tops about 200' west of this crossing (shown on the map) – that's where the low point is almost by the Brookside Apartments driveway and when we modeled this

with the design storm which is a 100' year storm it will overtop about a foot there under the current conditions.

Mr. Fanning said he wanted to briefly mention this is the main step of the stream – it actually does a big loop – there's a big low area that probably gets wets in the wetter seasons and this probably always flows when you have a flood condition; normally its pretty dry in through here (he pointed to an area on the map).

Mr. Fanning said traffic wise this connects across Wolf Hill to Highland and the state did a traffic study here last year and there are 2100 vehicles per day that uses this road.

Mr. Fanning said it's about a 14' opening and it's very shallow currently and its kind of restricts the flow and the road width is about 29' so the proposed road width is not going to be different.

Mr. Fanning said he was going to ask Scott Stevens to come up now and he can talk about the wetlands.

Mr. Norback asked about the gas line – that runs now is within the roadway or the bridge bed and where is it going to go subterranean instead of.

Mr. Fanning said temporarily it will come out here (shown on the plan) – the long term plan is to hang it on the upstream – it will meet with the utilities.

Mr. Fanning said one other thing that's not this here is the USGS gauge – and they want to keep – he spoke to them so what they've already done is they've established a temporary gauge somewhere in the locality – they were very evasive of where it is – but the construction starts the contractor will have to call them and they'll come and they'll take the gauge away and when the constructions completed they'll come back and install the gauge.

Scott Stevens, a registered soil scientist with Soil Science and Environmental Services out of Cheshire addressed the Commission.

Mr. Stevens explained his firm was retained by WMC to delineate the wetlands and identify any watercourses, classify soil types on the property.

Chairman de Jongh asked Mr. Stevens to speak a little louder so his comments could get picked up on the meeting microphone.

Mr. Stevens said on May 31, 2013 they did their site inspection and basically identified a perennial watercourse which goes through the here (shown on the plan); he said there's also a pond over this way (shown on the plan); there's the Honey Pot Brook which is a perennial watercourse – there are a couple of little intermittent things that kind of enter in – there's a pipe over here (shown on the plan) and there's another pipe along that side (shown on the plan).

Chairman de Jongh asked if Mr. Stevens could directionally let the Commission know where he was referred to.

Mr. Stevens said its south of the pond.

Mr. Stevens stated that everything basically flows north into Honey Pot Brook.

Mr. Stevens said as far as soil types – the wetlands we did a map of which are poorly drained and shallow to moderately deep organic soils – in this area on the southern side and also on the northern side.

Mr. Stevens said we also have a channel right in here (shown on the plan) where we have soils (specific type not picked up on the tape) which are basically alluvial or flood plain soils which can range in texture and drainage class – the river kind of floods out that area so there's different textures but basically they're a flood plain soil.

Mr. Stevens said in the uplands we have the moderately well drained reddish colored Ellington silt loam which are outwash soils and basically have those on the southern side – past the wetlands here (shown on the plan) and the northern side – and the southeastern side of the road there are also some more Ellington.

Mr. Stevens said and then over by the apartments it's mostly Udifluvents which are mainland or filled soils which 2' or more of the original soils have been disturbed.

Mr. Stevens said and basically a total of 49 wetland flags – there's 34 flags on the southern side of Creamery Road and we have flag numbers 35 and 42 belong from the main channel where Honey Pot Brook is and then there's more of those organic soils where we have flag numbers 33 to 49.

Mr. Stevens said that's about it. He asked if anyone had any questions.

Mr. Stevens stated they also flagged the federal wetlands and the high water table.

Chairman de Jongh asked when they anticipated starting construction on this project.

Mr. Gancarz stated they were actually here pretty early. He explained originally they started the design of Blacks – then Creamery at the same time and we envisioned the both of these would go to referendum in November then they chose to do just one bridge this year and one the next year so frankly the earliest we would expect this to go to referendum is next November (2014) and construction the following year (2015).

Chairman de Jongh said so in 2015.

Mr. Gancarz stated yes. He said since the permit is good for five years and we still have to go through the Corp (Army) – and we are pretty far along with the design we might not get everything in order – and that way too if the bridge ever failed or some other grant program came along and offered a bunch of money to do it earlier rather than later we are ready to go.

Chairman de Jongh asked if delaying the project in anyway affect the grant money.

Mr. Gancarz said no – it's good – we've already filed and extension with them.

Mr. Gancarz explained that one of the reasons that's its actually preferable to do it this – we really have three different bridges and Country Club we talked about before but Blacks Road that we are going to be doing next year – Creamery becomes a detour route around it so once we get Blacks back together – Blacks will become a detour route for Creamery because the road will be closed for about 60 days while construction goes on.

Mr. Gancarz said he thought the questions came up earlier about the gas main and yes that temporarily would have to be relocated on the upstream side so get it out of the way for the box culverts with the wing walls and then put it back on the bridge.

Mr. Gancarz said the only other utility that should have to get moved is just one utility pole which is shown on the plan.

Mr. Gancarz explained the sanitary sewer actually comes down cuts across on the lower part downstream of the bridge so you miss that

and then actually one of our interceptors – Honey Pot interceptors comes along this side (shown on the plan). He said there is a water main but the water main also detours around the bridge currently it comes across – steps back from the bridge and then come down so we actually kind of miss those too.

Mr. Gancarz stated the bridge is pretty much going back in exactly the same place where the current one is.

Mr. Gancarz said probably the whole construction period we're talking five months.

Mr. Fanning said he'd say six months but that's probably a conservative estimate.

Mr. Gancarz said but probably only closed for two months of that time and then the traffic is back on.

Mr. Gancarz said as you are aware box culverts - the benefit to them is they are pre-cast...they will do similarly what they did on South Brooksvale where the road was only closed for thirty days.

Chairman de Jongh asked how long Creamery Road was closed – he said he wanted to say no more than a couple of months.

Mr. Gancarz said he didn't know – it did seem a little longer but he didn't know exactly how long.

Chairman de Jongh asked if there were any other questions from Commission members or questions from staff.

Ms. Simone asked about the timing the construction will start – there's information that was submitted that the Natural Diversity Database found two species and they suggest that the work be done outside the time period of May-September.

Mr. Fanning stated yes – but for us we had to go through the Corp category two permit anyways so we would be limited from June 1 to September 30 anyways so that's a shorter time sequence then for the turtles – he said they think it's likely there are turtles in the area and that upland area is very low and brushy – it seems kind of like a turtle friendly place.

Mr. Fanning explained that the only thing to do is really put up the silt fence – look inside it – if you see any turtles pick them up and put them outside the silt fence.

Mr. Fanning said what they have attached to our application materials is the notice to contractors where that explains that to them – there are actually photos of the turtles in there – its says these are the kinds of turtles to look for and hopefully if they see any turtles they'll pick them up and move them.

Chairman de Jongh asked if the work was going to be done by town contractors or are they outsourcing the work.

Mr. Gancarz stated they envisioned it would be going out to bid at this point. He explained they did that successfully did that down at South Brooksvale – the thought is right now they'd just go to a straight bid on this.

Chairman de Jongh said his reason for asking and particularly because of the issues with the turtles and we had this with the linear trail (project) that he will read tonight the recommendation from staff – but the comment about the turtles and the contractors that they hired to do work in similar areas had knowledge of and had a working history of being able to identify and treat accordingly and he guessed the question is whether or not the contractors they hire – will they have sensitivity to this or an awareness of this or is it just the lower bid on it and if they see a turtle that's great and if they don't see a turtle great – he said he guessed he was just asking what kind of track record do the contractors have that on this.

Mr. Gancarz said it will certainly be a part of the bid and will be a requirement – its something that we will require them to have a daily log and that the area is inspected and if they found anything and what they did so that's one way of keeping track.

Mr. Gancarz said the bridge is one he has to go over to get to work so it's an easy one to check on daily and make sure that the record follows.

Mr. Norback asked if it was being suggested that the area needed oversight.

Chairman de Jongh said it was just a question he wanted to raise because we've raised the issue before – if those species have been identified it would naturally be a requirement that the contractor have some kind of sensitive or awareness of how they are suppose to treat it rather than just going to the lowest bidder because the lowest bidder may just take a spade and cement and say you know...I guessing but they might not any kind of expertise on how to deal with the species so that's why he raised the question. He said he'd

hope that would be part of the specs of the document that goes out to bid.

Mr. Fanning stated yes – it would be right in the bid.

Chairman de Jongh said seeing there were no other questions from the Commission or staff or from members of the public.

Chairman de Jongh said he thought they received all the information that we needed for the public hearing.

Ms. Simone stated that they received the signatures of the two affected property owners.

Chairman de Jongh said seeing all of the information that we requested was received and there were no other issues or concerns that have been raised so he saw no other reason to keep this public hearing open.

Chairman de Jongh said Suzanne could take a look at the information and be prepared to address this at our next meeting.

Chairman de Jongh closed this portion of the public hearing at 7:55 p.m.

VI. ADJOURNMENT

The public hearing was adjourned at 7:55 p.m. by the consensus of Commission members present.

Respectfully submitted:

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