

Motion: To approved the minutes of the November 19, 2013 public hearing and regular meting with corrections.

Public Hearing: pg. 3 L15 after “wise” add “at”, L38 “elevate” to “alleviate”, L40 “not” to “a lot”; pg. 4 L41 “keep” to “eat” - delete “out”; pg. 6 L 8, 13, 16 “toe” to “tow”, L16 “with 10’ within” to “within 10’ of”; pg. 8 L7 “plant” to “pipe”; pg. 13 L21 “thin” to “think.”

Regular Meeting: pg. 5 L17 “30,000” to “30-second”; pg. 10 L13 “used” to “uses”; pg. 19 L44 “space” to “shape”; pg. 20 L5 “the” to “them”, L28 “space” to “shape, L30 delete “the”; pg. 21 L20 “had” to “hand”; pg. 22 L42 “end” to “hand”; pg. 24L12 add “he (the engineer)” pg. 27 L20 “reply” to “relay”; L31 “now” to “not know”; pg. 28 L11 “form” to “from”; L27 “filed” to “field”; pg. 29 delete lines 33-36, L44 delete “are”; pg. 30 L32 “mininis” to “minimis”.

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

V. APPROVAL OF 2014 MEETING DATES

Chairman de Jongh and Commission members reviewed the 2014 meeting dates.

Chairman de Jongh said one change is the meeting in November – it’s been changed due to Election Day – the meeting will be held in 207/209.

Motion: To approve the 2014 Cheshire Inland Wetlands and Watercourses Commission meeting dates as noted.

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

VII. COMMUNICATIONS

- 1. Request for Determination Re: CIWWC Permit #2007-30A
Cheshire Route 10 LLC – Highland Ave., Dickerman Rd. & I-691**

Ms. Simone stated the first communication was a request for determination regarding permit 2007-30A – this item is on new business tonight.

- 2. Other – none.**

VIII. INSPECTION REPORTS

1. Written Inspections

Ms. Simone stated there were no written inspections.

2. Staff Inspections

a. Lot 4 Bishops Corner

Ms. Simone explained there was a staff inspection of erosion controls on Lot 4 Bishops Corners which are in place and functioning correctly.

b. Cornerstone Church – Waterbury Road

Ms. Simone said at Cornerstone Church on Waterbury Road – they still have their erosion controls up and they are working.

c. Terrell Farms Road

Ms. Simone said on Terrell Farms Road there was an inquiry regarding the construction of the home on the corner of Yalesville Road and the question was about the width of the driveways – what's in the field is in keeping with what was permitted by this Commission so there's no issue there.

d. Meadowview Estates

Ms. Simone stated there was an erosion control inspection of Meadowview Estates – Plank Road.

IX. ENFORCEMENT ACTIONS

- 1. Unauthorized Activities in a Regulated Wetland Area SC 5/04/10
Dr. Robert Henry and Maria Passaro-Henry
12 Mountaincrest Drive**

Ms. Simone explained on this issue she did email Dr. Henry again but still have not received a response so what we can do is we can flag the file – keep it separate and when this issue comes up to expire in 2019 that we will be able to capture it then and perhaps we can remove it from the agenda – its up to the Commission but this is something staff will continue to monitor but since there's no

movement on it and no updates its up to the Commission if they want to keep it on the agenda.

Dr. Dimmick said if they can be assured it won't get lost he had no problem with (removing it from the agenda) it.

Ms. Simone stated she did not believe it would get lost.

Chairman de Jongh stated the general consensus of Commission members was to remove this item from the agenda and flag as staff has outlined.

X. UNFINISHED BUSINESS

1. Permit Application	APP	#2013-026
Town of Cheshire	DOR	10/01/13
West Main and Jarvis Street	PH	11/07/13
Construct Farmington Canal Greenway	PH	11/19/13
	SW	10/19/13
	MAD	12/12/13

Dr. Dimmick said staff as prepared a motion for approval which he had no problem with.

Chairman de Jongh said he thought staff had a couple of additions that staff wanted to read.

Ms. Simone stated yes – stipulation number four – she proposed adding item e “That all required species of concern field inspection reports shall be submitted to the Commission within 7 days of the inspection.” She explained this was in response to a comment from a Commission member at the last public hearing that there were questions about the DOT and the inspections that they would be conducting on the site and it was verified that they would produce written documents of their inspections.

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, and after review of written information provided by the applicant on this application and during the course of a public hearing, finds the following:

1. That this lot application is for construction of an approximate 8,700 linear foot extension of the Farmington Canal Linear Park and parking area on Jarvis Street.
2. That the proposed activities will be located on a former railroad right-of-way, except two sections totaling 3,500 feet in length which will be regraded to accommodate water flow off the 12' bituminous concrete pathway.
3. That the proposed parking area on Jarvis Street includes a pedestrian bridge crossing and stormwater drainage systems.
4. That the CT NDDDB has identified species of concern and that best management practices for the protection of such species is incorporated in the proposed site plan.
5. That the proposed construction activities will not have a significant adverse effect on the adjacent wetlands and watercourses.

Therefore, the Commission grants CIWWC Permit Application #2013-026, the permit application of the Town of Cheshire for site plan approval, as presented and shown on the plans entitled:

**“Farmington Canal Greenway
West Main Street to Jarvis Street
Cheshire, Connecticut
Sheets 1 – 37, 52-56 and 61 Dated September 3, 2003
Prepared by Milone & MacBroom, Inc.”**

And

**“Attachments A, B, C, D, E and F
Farmington Canal Greenway, Cheshire, CT
Prepared by Milone & MacBroom, Inc.”**

with the following stipulations:

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 construction activities covered by this permit grant, the applicant shall have the following items both completed by a qualified party and verified as complete by Commission Staff:**
 - a) Prior to any clearing or earthmoving activities, the accurate staking and/or flagging of all clearing limits.**
 - b) The proper installation of all sediment and erosion controls indicated on the above referenced plans.**

Commission Staff may insist on additions to items 3a or 3b at any time if field conditions warrant them.

- 4. Throughout the course of conducting construction activities covered by this permit grant, the applicant shall be responsible for ensuring the following:**
 - a) That all construction notes and sedimentation and erosion control notes on the above-referenced plans be stringently adhered to.**
 - b) 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.**
 - c) That all disturbed areas on the site not directly required for construction activities are temporarily hayed and seeded until the site is permanently stabilized.**
 - d) That the best management practices for the protection of identified species of concern will be stringently adhered to.**
 - e) That all required species of concern field inspection reports shall be submitted to the Commission within 7 days of the inspection.**

5. Per Section 11.12 of the Cheshire Inland Wetlands and Watercourses Regulations, the applicant shall provide the Commission with the following:
- a) within 30 days of the completion of all activities covered by this permit grant, written certification that all work covered by the permit grant has been completed.
 - b) written certification that, to the best of the applicant's knowledge, all conditions and stipulations of this permit grant have been generally met and that all yard areas are properly stabilized.
 - c) written acknowledgement that this permit grant shall become void ab initio in the event that the applicant opens the proposed facility for public use prior to verification by wetlands staff that all conditions and stipulations of this permit grant have been generally met and that all yard areas are properly stabilized.
6. This permit grant shall expire on December 3, 2018.

Moved by Dr. Dimmick (with staff's addition to stipulation 4 item e).
Seconded by Mr. Brzozowski.

Motion approved 5-0-1 with Mr. McPhee abstaining from the vote (he didn't attend the walk and was not at the last meeting).

2. 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
	SW	10/19/13
	MAD	1/07/13

Chairman de Jongh noted that the public hearing on this item was deferred per the letter from the applicant's attorneys.

3. Permit Application	APP	#2013-029
Apex Developer's, LLC	DOR	11/07/13
South Meriden Rd., Lot 4 - Bishop's Corner		
Site Plan - House	MAD	1/11/14

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 on Lot #4, Bishops Corner, South Meriden Road/Academy Road.**
- 2. That the proposed house is located outside the upland review area, and is surrounded by wetlands to the west and south.**
- 3. 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 #2013-029, the permit application of APEX DEVELOPERS, LLC as presented on the plans entitled:

**“Proposed Site Plan & Sub-Surface Sewage System Design
Bishop's Corner, Lot 4
Academy Road, Cheshire CT
Scale 1"=30': Dated September 30, 2013, Revised
November 19, 2013
By MMI, Realty Drive, 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. 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. Prior to application to the Building Department for a Certificate of Occupancy, and per Section 11.12 of the Cheshire Inland Wetlands and Watercourses Regulations, the applicant shall provide the Commission with the following:**
 - a. an as-built map (A2 survey) by a licensed land surveyor, at a suitable scale, showing, at least, all buildings and**

setbacks from the property lines, wetland boundaries and acreage, wetland non-encroachment lines and markers, limits of clearing, utility locations, and all paved driving surfaces.

- b. written verification from the owner/applicant/agent that all conditions and stipulations of this permit grant have been met, that all yard areas are properly stabilized, and that all non-encroachment lines and associated restrictions are recorded on the Cheshire Land Records and will be recorded in the deed of the lot upon transfer of property.

7. This permit grant shall expire December 3, 2018.

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

4. Permit Application	APP	#2013-030
PABCO Cheshire, LLC	DOR	10/15/13
Huckins Road, Lot 6 - Saddlebrook Farms		
Site Plan – House	MAD	12/19/13

Ms. Simone said that Mr. Norback had inquired at the last meeting about an updated picture which they did receive and it does show that the barn is much more severely dilapidated than the original pictures.

Commission members reviewed the updated photo of the barn as well as a copy of the original photo for comparison.

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 on Lot #6, Saddlebrook Farms, Huckins Road.

2. That the proposed house is located outside the upland review area, and the property is bordered by Cuff Brook to the north.
3. 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 #2013-030, the permit application of PABCO as presented on the plans entitled:

**“Plot Plan-Lot 6
Saddlebrook Farms Subdivision, Cheshire CT
Scale 1”=30’: Dated October 14, 2013, Revised
November 18, 2013
By MMI, Realty Drive, 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. 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 split rail fence 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. The applicant's engineer will certify that the 15" drainage pipe has been inspected and the joints mortared as proposed.
7. Prior to application to the Building Department for a Certificate of Occupancy, and per Section 11.12 of the Cheshire Inland Wetlands and Watercourses Regulations, the applicant shall provide the Commission with the following:
 - a. an as-built map (A2 survey) by a licensed land surveyor, at a suitable scale, showing, at least, all buildings and setbacks from the property lines, wetland boundaries and acreage, wetland non-encroachment lines and markers, limits of clearing, utility locations, and all paved driving surfaces.
 - b. written verification from the owner/applicant/agent that all conditions and stipulations of this permit grant have been met, that all yard areas are properly stabilized, and that all non-encroachment lines and associated restrictions are recorded on the Cheshire Land Records and will be recorded in the deed of the lot upon transfer of property.
8. This permit grant shall expire December 3, 2018.

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

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

Chairman de Jongh stated this item was subject of a public hearing this evening and unless there's any further consideration we'll allow staff to do her thing.

6. Permit Application	APP	#2013-032
Francis Switajewski	DOR	11/07/13
1143 Summit Road		
Site Plan – Garage	MAD	1/11/14

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 1,008 square foot garage at 1143 Summit Road.
2. That the proposed garage is located within the upland review area.
3. 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 #2013-032, the permit application of FRANCIS SWITAJEWSKI as presented on the plans entitled:

“Zoning Location Survey
Owned by Francis H. and Tracie Switajewski
1143 Summit Road, Cheshire CT

Scale 1"=20': Dated September 19, 2013, Revised
November 15, 2013
By Meyers Associates, P.C. 60 Linden Street,
Waterbury, 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. 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.
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. Prior to application to the Building Department for a Certificate of Occupancy, and per Section 11.12 of the Cheshire Inland Wetlands and Watercourses Regulations, the applicant shall provide the Commission with the following:
 - a. an as-built map (A2 survey) by a licensed land surveyor, at a suitable scale, showing, at least, all buildings and setbacks from the property lines, wetland boundaries and acreage, wetland non-encroachment lines and markers, limits of clearing, utility locations, and all paved driving surfaces.
 - b. written verification from the owner/applicant/agent that all conditions and stipulations of this permit grant have been met, that all yard areas are properly stabilized, and that all non-encroachment lines and associated restrictions are recorded on the Cheshire Land Records and will be recorded in the deed of the lot upon transfer of property.

7. This permit grant shall expire December 3, 2018.

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

7. Permit Application	APP	#2013-033
Apex Developers, LLC	DOR	11/07/13
North Brooksvale Road - Lot 3, North Brooksvale Estates		
Site Plan-House	MAD	1/11/14

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

Ms. Simone stated the draft motion was handed out at the meeting.

Dr. Dimmick said it was his understanding is that they did not put a setback as large as our Chair had requested.

Chairman de Jongh said he had requested that there's a 50' upland review area and the non-encroachment line was right up to the

wetland area and in conversations that we had at our last meeting was that he requested a 20' setback and the proposal was 10' to 20' – he stated he was not comfortable with that 10' to 20' – he's comfortable with 20'.

Mr. McEvoy stated he apologized there was some confusion – it was supposed to be 20' from the edge of the water and in some cases the water is within the wetland boundary - if there was confusion its on his part and he apologize – we can certainly shown it 20' from the edge of the wetlands.

Chairman de Jongh said if you (Ryan McEvoy) can make the adjustments to the map tonight that would be great.

Dr. Dimmick asked that he (Ryan McEvoy) sign and date the change on the plan.

Mr. McEvoy made the change on the plan.

Chairman de Jongh said so staff has a recommendation before us and staff has one change to the wording and it happens to be number three of the findings.

Ms. Simone said the current language says that the non encroachment line of 10' to 20' – that would be corrected to just say 20' and the information block regarding the map would state that the map was dated October 29, 2013 revised December 3, 2013.

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 on Lot #3, North Brooksvale Road.
2. That stipulation #3 of subdivision permit #2012-025 granted October 16, 2012 identifies that Lot #3 requires individual site plan approval.

3. That the proposed house and septic system are located outside the upland review area and that a reduced non-encroachment line of 20' from the pond is proposed.
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 #2013-033, the permit application of APEX DEVELOPERS, LLC as presented on the plans entitled:

"Proposed Site Plan & Sub-Surface Sewage System Design North Brooksvale Estates, Lot 3 North Brooksvale Road, Cheshire CT 06410, Scale 1"=30': Dated October 29, 2013, Revised November 25, 2013; Revised December 3, 2013
By MMI, Realty Drive, 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. 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.

7. This permit grant shall expire December 3, 2018.

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

8. Permit Application	APP	#2013-036
Krista Ostuno	DOR	11/07/13
Sindall Road		
Site Plan-House	MAD	1/11/14

Ms. Simone stated the Commission received information today and the Engineering Department will have its review at the next meeting.

Chairman de Jongh said so we'll be able to address that at our meeting in January.

XI. NEW BUSINESS

1. Permit Application	APP	#2013-041
Diversified Builders, LLC of Cheshire	DOR	11/19/13
505 Peck Lane, Lot-1		
Site Plan – House	MAD	1/23/14

Ms. Simone stated handed out tonight to Commission members is a staff report for this lot – lot number one as well as the second item under new business which is lot three in the same subdivision.

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

Mr. McEvoy said this site plan application is for a single family home on lot one of a recently approved subdivision by this Commission.

Mr. McEvoy said you (the Commission) may recall that this parcel was on the west side of Peck Lane that included a three lot subdivision – frontage lots just to the north of Cambridge Drive.

Mr. McEvoy said on this particular lot there's grading shown during the subdivision application – there are some regulated activities to construct the septic system and the plan that you have mimics essentially what was on that original plan for a single family home and a septic system design for four bedrooms; the system is essentially located outside of the upland review area however it is partially constructed in fill so there will be a total of 350 SF of disturbance within the upland review area.

Mr. McEvoy stated all activities other than the parcel other than the grading and septic system are outside of the 50' buffer.

Mr. McEvoy said another minor change from the site development plan shown are shown on the subdivision application was that we containing increases in runoff with under ground plastic chambers and after discussing that with the applicant they preferred a smaller surface rain garden as opposed to buried plastic infiltration chambers.

Mr. McEvoy stated that revision results in no increases in runoff – it's still located outside of the upland review area.

Mr. McEvoy said so without going into too much more detail – they've proposed sedimentation and erosion controls – if there were any questions he was happy to answer them.

Dr. Dimmick said the septic is what you call low flowing galleries because of the high ground water.

Mr. McEvoy said it's a firm layer between 2' to 3' deep.

Dr. Dimmick said so seasonally high water.

Mr. McEvoy said yes that layer actually they didn't have ground water when they tested in it but he did do a percolation test in that firm soil there and it proved that it wasn't water percolating well so we have a 1.5' above that layer so the system is partially in grade and farcically in fill so that's the reason they have to extend that fill.

Dr. Dimmick said it's not surprising for that general area. He said so he presumed Chesprocott approved this.

Mr. McEvoy stated Chesprocott has reviewed and approved this.

Motion: To declare the proposed activity not significant with the context of the Commission's regulations.

Moved by Dr. Dimmick. Seconded by Mr. Brzozowski. Motion approved unanimously of those Commission members present.

Chairman de Jongh said they'll allow staff to go ahead and craft her trustily pen and will address this at the next meeting.

Ms. Simone said just one recommendation that she had if they (the applicant) would get a site plan that shows where markers will be placed.

- | | | |
|---------------------------------------|-----|-----------|
| 2. Permit Application | APP | #2013-042 |
| Diversified Builders, LLC of Cheshire | DOR | 11/19/13 |
| 505 Peck Lane, Lot-3 | | |
| Site Plan – House | | |

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

Dr. Dimmick asked staff if she said there was information needed.

Ms. Simone stated they needed the fee and markers (shown on lot three).

Ms. Simone said on lot three she had a question about the clearing near the 50' upland review area – would there be clearing right up to that area and where the proposed non-encroachment line would be located is it going to follow the 50' upland review area; she also asked about the markers.

Mr. McEvoy explained to coordinate everyone – this lot three in the subdivision that we just looked at a moment ago – it's a single family home – septic system and there's limited draining associated with the septic system in the upland review area – again this was depicted on the original subdivision application plan as a likely effect and in fact we do have some minor draining in an area upslope of wetland flag 20 – that was looked at during a field walk for the subdivision application.

Mr. McEvoy said in this particular case relative to the clearing limits we have a tree line that would extend the limit of clearing into the upland review area only for the purposes of grading out the septic system otherwise it would be located along the 50' upland review area or in fact some cases a little further than that.

Mr. McEvoy said so with the exception of the regulated activities that we're proposing adjacent to the septic system that 50' buffer will be respected.

Dr. Dimmick said and this also has a rain garden.

Mr. McEvoy said yes and that was part of the original intent of this lot during the subdivision application and that will capture runoff from the driveway.

Dr. Dimmick said again you've got the problem of the restricted layer of the septic.

Mr. McEvoy said its a little bit better on this parcel then on lot one – it's a few inches.

Dr. Dimmick said its 4" to 5."

Chairman de Jongh asked if she still hasn't had a chance to review this yet.

Ms. Simone state no.

Chairman de Jongh said so we need a map showing where the upland review markers need to be.

Ms. Simone stated yes – that was one of the comments.

Motion: To declare the proposed activity not significant with the context of the Commission's regulations.

Moved by Mr. McPhee. Seconded by Mr. Norback. Motion approved unanimously of those Commission members present.

Mr. McEvoy said he'll wait to hear back on both these lots (staff comments).

Ms. Simone stated they (the Commission) haven't received the application fee yet.

3. Request for Determination RFD #2007-30B
Cheshire Route 10 LLC
Highland Avenue, Dickerman Road & I-691

Attorney Anthony Fazzone was present on behalf of the applicant.

Darin Overton, PE of Milone and MacBroom was also present on behalf of the applicant.

Attorney Fazzone explained this applicant/request for determination is for the outlets in Cheshire at the north end of town.

Tape change.

Attorney Fazzone said they were here in July with some minor changes to the original approval which was granted back in 2008.

Attorney Fazzone said there are some additional minor changes that actually result in a net lessening of the impact.

Attorney Fazzone were we're here for a determination of whether or not – we'll be filing final development plan – you have copies of the plans that have been filed with P&Z.

Attorney Fazzone stated they did have an applicant also submitted incase it's to be determined that this does need an application.

Commission members reviewed the proposed changes on the plans.

Mr. Overton explained going through the final design process and detailing everything out we made some adjustments – the largest of which has to do with the timber bridge – we didn't have it any longer but what happened when we looked at the final locations of these flood plain lines and their detail and went through all this – we've had two pre-applications with the Army Corp and DEP and found that a corner of the west abutment is actually in the flood plain – they frown upon that – it would push us up to a higher level permit with the Army Corp.

Mr. Overton said so what they did is take the same length of bridge and just adjusted to the west – so we extended the fill from the abutment here (shown on the plan) and pulled back to the abutment here (shown on the plan); that caused a little bit of a realignment in this roadway so essentially what happens is on this side extending the abutment (shown as square yellow boxes on the plans) is an increase in our upland review area impact of about 1200 SF – pulling the abutment back – pulling it out of the upland review area over here (shown on the plan) lessened our amount of impact – up here (shown on the plan) the realignment of the road has less abutment impact in the upland review area here (shown on the plan) and then this discharge over here (shown on the plan) we had a larger depression at the outlet which you can see the flood way line (highlighted in green here) – he said in reality it probably doesn't actually come up the slope like that but none the less that's the way the FEMA line is mapped so we would have add some fill in the flood

way so we pulled that grading back and we had upland review areas disturbed here that we won't have anymore.

Mr. Overton stated so there's a net loss of upland review area disturbance so the only real change as far as our impact is the shifting of the bridge.

Chairman de Jongh said so its 1200 SF of impact (less impact).

Dr. Dimmick stated it's just less than 1200 SF of impact.

Mr. Overton said they elevated 4000 SF (of impact).

Attorney Fazzone said he thinks the net is lessen by about 800 SF.

Ms. Simone said there was information provided and it details that this plan shown an decrease of 1200 SF (as Darin had just mentioned) and then with all the other changes there's a net reduction in the upland review area impact would be 828 SF compared to what was previously approved by this Commission.

Dr. Dimmick said in looking at this he didn't see that we have anything to worry about.

Motion: To declare the proposed change de minimis and not requiring a permit modification.

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

Attorney Fazzone requested that the permit application be withdrawn.

XII. ADJOURNMENT

The meeting was adjourned at 8:22 p.m. by the consensus of Commission members present.

Respectfully submitted:

Carla Mills
Recording Secretary
Cheshire Inland Wetland and
Watercourse Commission