

**CHESHIRE INLAND WETLANDS AND WATERCOURSES COMMISSION  
PUBLIC HEARING  
TUESDAY, APRIL 15, 2014  
TOWN HALL AT 84 SOUTH MAIN STREET  
COUNCIL CHAMBERS AT 7:30 PM**

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**Members present: Robert de Jongh, Charles Dimmick, Dave Brzozowski, Will McPhee.**

**Members absent: Kerrie Dunne, Earl Kurtz, and Thom Norback.**

**Staff: Suzanne Simone.**

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

**I. CALL TO ORDER**

**Chairman de Jongh called the meeting to order at 7:45 p.m.**

**II. PLEDGE OF ALLEGIANCE**

**All present recited the pledge of allegiance.**

**III. ROLL CALL**

**Mr. Brzozowski called the roll. Members present were Robert de Jongh, Charles Dimmick, Dave Brzozowski and Will McPhee.**

**IV. DETERMINATION OF QUORUM**

**Chairman de Jongh determined there were enough members present for a quorum.**

**V. BUSINESS**

**Chairman de Jongh explained for those of you who have not had the opportunity to participate in a public hearing before this Commission – the procedure will be we will allow the applicants to make their presentation at which point the Commission members will have the opportunity to ask any questions and then we'll open it up to the audience for them to pose any questions and then we'll entertain any comments pro and against the application should there be and then if we have to carry it forward then we'll continue the public hearing to the next meeting.**

1.	Permit Application	APP	#2014-007
	Connecticut Yankee Construction	DOR	3/04/14
	Mountain Road	PH	4/01/14
	Site Plan – House	PH	4/15/14
		MAD	5/20/14

Ryan McEvoy, a licensed professional engineer in the State of Connecticut of Milone and MacBroom was present on behalf of the applicant.

Mr. McEvoy addressed the Commission by stating this was a continuation of the public hearing from the last meeting.

Mr. McEvoy said to briefly summarize the application – it's a 1.6 parcel on the west side of Mountain Road north of Higgins and we're looking to install a single family house and septic system.

Mr. McEvoy stated the house is located outside the 50' upland review area but they do have activity associated with the draining at the rear of the house.

Mr. McEvoy stated the total regulated activity is 4,000 SF.

Mr. McEvoy said at the last public hearing he said he believed they addressed some of the concerns some of the Commission members had raised during the application process and we are looking to receive comments from the Regional Water Authority which we have subsequently received from the first public hearing received and take no acceptance to their comments – additionally the engineering office in an updated memo and again he believed all their concerns related to the site plan itself had been addressed.

Mr. McEvoy said they do (engineering) point out that a portion of the berm on the rain garden which to the rear of the house and driveway is located within the upland review area which we acknowledged and included in the total activity within the 50' upland review area.

Mr. McEvoy said so unless there's any additional questions from the Commission - or if there are any questions from the public.

Dr. Dimmick said he had one question that came up - do you know when this lot became a lot of record.

Mr. McEvoy stated I don't.

**Dr. Dimmick said the reason is that this is in an R-80 zone which means the minimum lot size is probably 1.86 acres and this lot is not that large.**

**Dr. Dimmick stated in a sense this is not our concern but in a sense it is our concern.**

**Mr. McEvoy said I can assure you that it is an existing lot of record.**

**Mr. McEvoy stated he didn't know exactly when the lot was created but it has been depicted as its own property in the assessor's records.**

**Dr. Dimmick stated he had to get it on the record just in case there was any question...**

**Ms. Simone stated the engineering department has comments dated April 4 and they identify that item number one was addressed; item number two – rain garden as shown will require work within the area which the Commission is aware of and has discussed previously; and number three states that its addressed; and number four – the following items are adversary in nature – a street excavation permit is required for any and all work done within the town's right of way and the driveway apron must be.....**

**Dr. Dimmick said they had been waiting for comments from the Water Company and those have been received.**

**Ms. Simone stated yes and the Regional Water Authority has three comments – number one states that the sediment and erosion controls would be adequate; number two they referenced what should be done for the storage of heating oil and number three that the project meets their minimum required wetland setback – there's some temporary disturbance in the wetland buffer due to grade; additional encroachment into the wetland buffer should be minimized – application of lawn care chemicals into buffer area should avoided.**

**Chairman de Jongh said it seems like all of the issues that were left unanswered at the last public hearing have been addressed this evening.**

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

**There were no other questions asked – staff had no other questions.**

Chairman de Jongh said at this point if there were any questions from the audience – any comments – there were no comments pro or against.

Chairman de Jongh said seeing there were no further opportunities for discussion this portion of the public hearing was closed.

2.	Permit Application	APP	#2014-012
	Kathie A. Welch	DOR	4/01/14
	Reservoir Road	SW	4/05/14
	Resubdivision	PH	4/15/14
		MAD	5/20/14

Darin Overton, a licensed professional engineer in the State of Connecticut of Milone and MacBroom was present on behalf of the applicant.

Mr. Overton addressed the Commission.

Mr. Overton said he was here to present a two lot subdivision at the property at 650 Reservoir Road.

Mr. Overton stated the property is approximately 10.5 acres and there's about .07 acres of wetlands on the property.

Mr. Overton stated it's in an R-80 zone; it's bounded to the west by existing residential and the Bishop Farm; to the north by Broad Brook Reservoir owned by the City of Meriden; to the east by existing residential and to the south by Reservoir Road and existing residential properties on the other side.

Mr. Overton said as far as existing conditions – the site is mostly wooded its slopes generally in a north direction away from Reservoir Road and there's a central watercourse that runs relatively through the center of the property coming across Reservoir Road it starts on the western boundary of the property and then sort of menders through the central part of the property in a northerly fashion.

Mr. Overton said there are really no wetland soils associated with that stream but it does meet the requirements of a watercourse under the Connecticut definition and the wetland delineation that is shown there outlines basically the top of bank or the limits of the bank on either side of the channel.

Mr. Overton said there's also a secondary watercourse just east of that – it's an intermittent watercourse that's shown on the plan – both the watercourses are highlighted in blue on the rendering and the wetlands that were mapped around the watercourses are shown in the pink outline.

Mr. Overton said there is a portion of wetland along the northern boundary – you can see where the wetland line opens up along the northern boundary – there's a gas transmission line that runs through an easement along the rear portion of that – along the area where the wetland broadens out – the stream channel still remains fairly well defined going through there but the wetlands – the grade does flatten out and the wetland do become broader in there – there are wetland soils associated with that portion of the wetland shown on the site.

Mr. Overton said the gas transmission line runs in a kind of an east-west fashion along the rear of the property.

Mr. Overton said there's no public water or sewer available in this area – this portion of Reservoir Road so both of the proposed lots will be served by well and septic.

Mr. Overton explained that the septic testing was done back in 2011 – 2012 – back when we initially started design of this application and was part of a previous submission to this Commission – the testing that was done was reviewed by Chesprocott – preliminary plans were submitted to Chesprocott and we've gotten feasibility approval for both of the new lots for the new subdivision and there were test pits done at the existing house to confirm a reserve area for the existing house.

Mr. Overton said so we are proposing two new lots to be subdivided from the existing house lot.

Mr. Overton stated lot 2 is approximately 3.5 acres located on the western part of the property and then lot 3 is 3 acres – each lot will be served on an individual driveway coming off of Reservoir Road.

Mr. Overton said we have proposed for water quality purposes a rain garden for each of the houses to collect roof runoff and portions of the driveway before overflowing towards the central stream.

Mr. Overton said there was a storm water management report that was submitted as part of the application – there was also a wetland delineation report done by William Root, certified soil scientist from

our office and Mr. Root also prepared a wetland impact assessment report which did discuss the wetland impacts associated with the culvert crossing.

Mr. Overton said there are two wetland impacts proposed - one is the crossing of the intermittent stream and the other is the crossing of the perennial stream further to the west - both are currently proposed on the plans with pipe culvert type of crossings and then the driveways would be filled and constructed over the top of them.

Mr. Overton said as proposed there's an approximately 2180 SF or .05 acres of wetland disturbance.

Mr. Overton said we calculated the intermittent watercourse as about 100 LF of stream disturbance - so counting that and the other course - if you look at it in a linear fashion.

Mr. Overton said this was determined to be a significant activity at the prior meeting which is why we are having the public hearing tonight - or at least one of the reasons.

Mr. Overton said the wetland impact assessment did go into alternatives for the type of crossing - he said what we've proposed is a simplest type of culvert crossing - impact assessment did discuss the alternatives with an open bottom culvert - an arch type of culvert or even a bridge and discuss some of the tradeoffs in proposing either of those alternatives.

Mr. Overton said he'd like to present one of the alternative tonight for the Commission to consider - he said they've looked at a concept for an open type of culvert for what is the second driveway crossing over the perennial stream.

Mr. Overton said so what we look at is a 10' wide arch type of culvert - it would be about 20' long - we're proposing a 12' wide driveway with a 4' shoulder on either side - there would be end walls on either side of the culvert to support the fill.

Mr. Overton said what they would achieve in doing this is we would be able to maintain a natural channel bottom for that perennial water bottom for that perennial watercourse while accommodating the driveway crossing.

Mr. Overton stated he highlighted on this plan the surveyed width of the watercourse – this was a subject of a field walk to the Commission got a chance to see how that stream meanders through the site and the width kind of varies as it goes through – some parts of it are more steeply in size than others and the width of it does vary as you can see from the blue shading here.

Mr. Overton said so we've set the width of the culvert to span over the driveway crossing the full width of the define channel there – it does still impact some of the waters but essentially it would cut down on the amount of wetland impact and allow us to provide for natural channel through.

Mr. Overton said the contractor would have to manage water handling as part of the process – he stated I can't make the statement that any of the wetlands underneath that crossing would remain undisturbed – there would likely be a coffer dam built upstream and a temporary pipe laid in the channel – there may be the potential to maintain the channel as it exists – leave the natural stream channel underneath but the pipe would be laid over the top so there would be at least some temporary disturbance of the channel and then the footings would be excavated on either side – the arch placed and the fill placed as the headwalls are brought up on either side.

Mr. Overton said so in the end what you get is a natural stream channel remaining there – there may be some temporary impact to it but if there were impact it could be restored at the end.

Mr. Overton said so this is an alternative that he would like the Commission to consider and certainly he welcomed your feedback on the sizing – location – impact.

Mr. Overton said another alternative we considered is we could have a closed bottom type of culvert whether it was a flat bottom arch or it was more of a rounded pipe arch type culvert – in that situation it would be a full enclosed structure but we would set it below – 1' or 2' below the bed of the stream so it would be placed in – it wouldn't require excavation of footings on either side but there would be full disturbance – permanent disturbance of the stream channel and then the stream channel would be reconstructed through it would natural sub-straighten and stones so it would be reconstructed through the culvert itself and again what you'd end up with is a natural stream bottom.

Mr. Overton said so that's another alternative that we looked at - if the Commission has any comments or any recommendations of issues that they see with any of these alternatives we would be happy to consider anything that would address the Commission's concerns.

Mr. Overton said so with that he would end his presentation and would be happy to answer any questions the Commission may have.

Chairman de Jongh said looking at the summary that staff has put together and the stack of paper that we have - this goes back to 2012 - there seems to be some discrepancy in the topo map and the wetland delineation and certainly Bill Root - we have a great deal of respect for - the question is was there an onsite survey done - how was the delineation of the wetlands in connection of the topography of the area mapped out - do you know.

Mr. Overton said yes - there was a boundary survey that was completed of the property that located accurate to A-2 standards - the boundary - Bill Root our soil scientist went out and flagged the wetlands and while he's flagging the wetlands he locates the flags by GPS so they are also field located and there dropped into the survey map.

Mr. Overton said so the wetlands we believe and the boundary is all accurately located.

Mr. Overton said the topography itself is town topography that we overlaid onto the plan and there seems to be some variation between the town topography and the wetland delineation - basically the contours that define the stream channel don't really follow the wetland delineation in some areas.

Mr. Overton explained there were concerned about that where we do have impacts for the driveway crossing so we actually went out and field surveyed the driveway crossing area to make sure we have that located right in the stream channel and that as it turns out lines up very well but on either side on areas we are not impacting there areas that clearly don't match the topo and you can't slide it one way or another or rotate it - there's no adjustment that seems to make sense for the town topo to match in with that.

Chairman de Jongh said okay the topography relative to the driveway crossing matches up with the information - that's pretty accurate.

Mr. Overton stated yes – it is field surveyed.

Dr. Dimmick said what about the topography where you have the planned septic system because it looks to me as though that may be off enough to end up requiring more fill for that septic system than you originally planned – the septic system where it is – add the topography is actually shifted about 20' from where it ought to be – for the lot that doesn't require the large crossing – lot 3.

Dr. Dimmick said there (lot 3) you seem to have the maximum deviation between the town topography and the actual conditions.

Mr. Overton said the septic systems that we showed are probably the largest – there stone in trenched which basically creates the largest footprint so we took a conservative approach to showing the footprint of the leaching systems itself – if you chose a leaching field with a higher square foot per linear foot ratio these leaching fields would be smaller.

Mr. Overton said as far as the topo we are using the town topo.

Mr. Overton stated that Chesprocott does require in the final design field topo of the lot – we usually do at least an acre area survey for a lot like this to locate the topo precisely around the house and the leaching field to know that all the grades match in so that would be done when the individual plot plan is put together and certainly we show what we believe is a reasonable size footprint – the architecture is likely to change when an actual buyer or homeowner gets involved in the lot and real architecture is established so there will be some variations to the plan.

Mr. Overton stated we would not go beyond the impact areas shown unless there was a need to and if that was the case we would come back to the Commission.

Mr. Overton said he believed what we show here – we can work within the footprint and certainly the footprint of the leaching field itself could get smaller.

Dr. Dimmick said his concern was if an actual survey showed that area - say 3' lower than you think it is – then you have to start putting in fill and chasing the fill down the slope and getting into the setback area.

Dr. Dimmick said so you think that can be accommodated without having that problem.

Mr. Overton said he believed based on that conservative approach we took to the size of the leaching field that we can work with the disturbance area that's shown there.

Mr. Overton said and certainly if there were some extenuating circumstances that pushed beyond that we would come back for a subsequent permit.

Chairman de Jongh said he remembered from the initial site visit that we did in 2012 this area was really wet particularly where the driveway crossing was – he said he's looking at pictures that have been provided to us – the width of the driveway you said about going to be about 20' edge to edge.

Mr. Overton stated yes.

Chairman de Jongh said so looking at a 12' driveway and 4' shoulders on both sides.

Mr. Overton stated yes.

Dr. Dimmick said the present plan shows 100' of coverage – we can do that.

Chairman de Jongh asked if there was another map that you have that more closely resembles the topography – the comments that you made before relative the topography and the accuracy of where things are located other than the map we have before us because there still seems to be some discrepancy in the maps that we have here – he said he didn't know if there was another map that you might have that gives us a clearer picture of the topo versus what Bill Root did.

Mr. Overton stated no – the mapping that we provide it what he was referencing.

Mr. Overton asked where was the location where he (Chairman de Jongh) sees the discrepancy.

Chairman de Jongh said just the crossing – the crossing area just seems to be some discrepancy in the topo numbers that were referenced on this map and in conversation with staff – she was wondering whether or not there was another map that might either be an adjunct to this – that's why he raised that issue.

**Chairman de Jongh said we've got some pictures before us which came from the Meriden Water Company and he would assume he had copies of these.**

**Mr. Overton stated yes.**

**Chairman de Jongh said there's no key to tell us what section its suppose to reference – can you give us some guidance as to maybe what we are looking at when we look at these pictures – where the location of these pictures might be.**

**Mr. Overton reviewed the photos with Commission members – and stated one photo may be a picture of the intermittent watercourse but he was just not sure.**

**Mr. Overton said Dennis was here tonight – he took the pictures.**

**Chairman de Jongh asked if Dennis could help them out – he said there were just trying to get a visual reference to what we are looking at on the map and what we're looking at relative to the pictures.**

**Dennis Waz, Director of Public Utilities for the City of Meriden addressed the Commission.**

**Mr. Waz explained that what the Commission was looking at in one photo was the primary stream where the major crossing is going to be; he showed where the first crossing would be on the driveway; and showed where he extends into our watershed for where the Broad Brook is – that would be north as it meanders down through here.**

**Dr. Dimmick said for the taped record – that doesn't show where you are pointing.**

**Chairman de Jongh said its 196.**

**Dr. Dimmick said it's at elevation 196 is roughly at the place of the actual crossing.**

**Chairman de Jongh said he's guessing but it looks like – he's using that topo on here.**

**The Commission reviewed the photos and the elevations.**

Mr. Waz said this is north of where the crossing would be (looking at the photos); he said if he was standing at the crossing looking toward Broad Brook Reservoir that's where it would be north of this crossing as it meanders through there.

Dr. Dimmick said somewhere down around the 170 or something.

Ms. Simone said she had one thing she wanted to point out that in the analysis that the applicant engineers submitted there are photos in that bunch as well and those photos are dated from 2011 but they do give an narration as to where they were taken in the landscape relative to the proposed development and Darin an correct her if she's wrong but the location of the driveway crossings is the same in this application as it was in 2012 – correct.

Mr. Overton stated yes.

Ms. Simone said so there is a photo log and its approximately eight pages that show different views.

Mr. McPhee asked if we had a response to engineering comments.

Ms. Simone stated no we do not – she said from what she understands the applicant's engineer spoke with our engineering department today but there are no written comments.

Chairman de Jongh said do we expect engineering to comment on this.

Ms. Simone stated from what she understood from eh engineering department in their conversation today with Darin it's likely that there may be revisions to the plan and that once that's complete then there will be comments then responding back to the engineering department if that's correct.

Mr. Overton said he did speak with Warren today who did issue comments on this – we were waiting for the remainder of the comments to come because we suspect that they would be interrelated – he said he did speak with Warren about all six of the issues and comments listed in his letter and one or more of them does tie in with the Meriden review as well as the staff review so we are going to address these all at once.

Chairman de Jongh said let me ask if there's any questions from the audience – if they wish to pose them at this time.

John Eagan of 720 Reservoir Road addressed the Commission.

Mr. Eagan said he had a couple of concerns – he said he did go to the town and read the report that was on file and it seemed the focus of that report dealt with the culverts that were going to be placed over the streams – he said his concerns deal more with the runoff.

Mr. Eagan said these proposed lots are a very short distance from a cove in the Broad Brook Reservoir – he said he's happy to see the Town of Meriden has someone here that represents the owner of the reservoir.

Mr. Eagan said the reservoir as you know is a public water supply and he was wondering if these proposed lots in a watershed area of that reservoir.

Mr. Overton stated yes they are in the public water supply watershed.

Mr. Eagan said so my concerns especially on a day today when we had so much rain is that if you like in that area its very obvious that everything runs towards the reservoir – everything on the surface of the soil and everything below the surface of the soil – it all runs to the reservoir.

Mr. Eagan said now I understand the history of that property a long, long time ago when pesticides were used that didn't disappear over time that that property was mostly used for agricultural purposes.

Mr. Eagan said he guess he was concerned about whether anyone has taken a soil sample to see if any of those old pesticides still exist and what will happen when that property is disturbed and will those pesticides then in fact run off into the reservoir area.

Mr. Eagan said the other concern he had about dealt with lawn chemicals – he said he realized that is probably can be put in the deed that no lawn chemicals can be used because it is a watershed area but I can tell you for a fact that that doesn't work.

Mr. Eagan said everyone including my property – he believed on that side of the road is in a watershed for the reservoir and everyone perhaps excluding me uses chemicals to treat to their lawns – everyone including the Welchs – including all the properties that were built to the him – there's four houses to east of him – they all use chemicals to treat their lawns – what happens to all that runoff and how does that impact the reservoir and the public water supply – he stated those are my concerns.

**Chairman de Jongh asked if there were any other questions from audience members – he said they will certainly entertain any comments as well.**

**Dennis Waz, Director of Public Utilities of the City of Meriden said on behalf of the City of Meriden, Department of Public Utilities said he'd like to submit comments to your Commission concerning subdivision application from the owner of 650 Reservoir Road.**

**Mr. Waz said he'd like to preface these comments with some facts about Broad Brook Reservoir;**

**Mr. Waz read from his letter to the Commission:**

**“Reservoir Road property is located within the Broad Brook Reservoir Watershed. Broad Brook Reservoir is the City of Meriden's largest reservoirs, serving 17,800 customers of Meriden and approximately 20 customers in the Town of Cheshire as well. The treatment plant is designed to treat 5 million gallons per day. The majority of reservoir lies within the Town of Cheshire, also extending into the Town of Wallingford. The maximum storage capacity is nearly 1 billion gallons. Broad Brook Reservoir is a high value watercourse which has been plagued with issues, mainly attributed to nutrient loading. The City of Meriden has retained the services of a limnologist to address taste and order issues related to the nutrient loading. Broad Brook Reservoir serves the majority of Meriden's 17,800 customers.**

**After reviewing data provided to me by Milone & MacBroom, and attending the site walk on 4/5/2014 with Inland Wetland Commission members, Mr. Overton from Milone & MacBroom, as well as the property owner, Mr. Neil Welch, I offer the following comments:**

**The City of Meriden is questioning the accuracy of the submitted site development plan. After reviewing supporting documentation, and questioning Mr. Overton, it appears that a field survey was performed for the Inland Wetland delineation report, but this info was applied to a Town of Cheshire topo map. I believe a field topo survey should have been performed so that an accurate portrayal of existing conditions could be presented to the commission.**

**The City of Meriden is opposed to the proposed stream crossings outlined in the application. The proposed crossing will have both a direct and indirect impact on the feeder streams to Broad Brook Reservoir. As noted in Milone & McBroom's Wetland Impact**

assessment and alternative analysis direct wetland impacts to the perennial stream amounts to 100 linear feet being permanently impacted. Also referenced is the loss of in stream habitat and the reduction in the mobility of in stream fauna. The proposed alternatives outline would produce an increased disturbance to both stream banks during construction. Installation of foundations, temporary crossing for heavy equipment access, tree clearing, and the need for more complex erosion controls and dewatering issue would result in an adverse impact to Broad Brook Reservoir.

The viability of rain gardens is also being questioned. When low impact design alternatives such as rain gardens are initially implemented, results are usually acceptable. But over a short period of time, if not maintained, could not serve as originally designed. Leaves, organic debris, grass, roofing shingle deposits, branches and growth can render these gardens ineffective.

The use of a 36" HDPE pipe with the inlet and outlet protected with stone. Again, if not properly maintained, the stone covered inlet and outlet can become overgrown with organic material rendering the protection useless. As organic accumulation builds, this condition would have direct impact on the stream as well as the water conveyed to Broad Brook Reservoir. Should the property owner utilize chemical treatment to prevent organic overgrowth of the protected stone inlet and outlet, this practice would also have a negative impact on the receiving waters. Maintenance of these types of crossings is usually non-existent.

Driveways to gain access to both proposed building lots would present challenges during the winter months. The change in grade from Reservoir Road to the location of the first crossing is in excess of 80 ft. These is a concern with snow and ice control product run off entering the feeder streams, and I would also be concerned about runoff effecting the private drinking well serving the proposed lot 1 residence.

In your packets are photos taken on 4/5/2014 during the site walk. As you can see, there is a fair amount of water in the feeder stream. The previous evening (April 4, 2014) the rainfall amounted to 0.05". The majority of the flow was from rainfall earlier in the week (March 31, 2014) when 0.43 inches of rain had fallen.

In closing, I would like to make the commission aware that the city of Meriden has and will continue to protect its precious water resources. The City of Meriden has recently awarded a nearly \$20 million contract to upgrade the Broad Brook Water Treatment Plant

to address all current water quality issues. The City of Meriden would ask the commission to consider the stated comments and concerns before rendering their decision regarding the proposed stream crossings and the potential long term impacts on these disturbances.”

Mr. Waz said and he might he'd like to comment on the previous speakers comments – he said he was unaware of the previous use of the property and was unaware of any of previous pesticide applications; he said the previous speakers did mention the use of lawn fertilizers and chemicals – he said as he alluded to earlier in my presentation – one of the reasons why we had to contract with a limnologist is due to nutrient loading – a lot of nitrogen and phosphorus and so forth are applied to lawns when people want to maintain their lawn; the excess run off does end up into reservoir and hence the reason for contracting with the limnologist so that we can do some reservoir management.

Mr. Waz said to date we've spent over \$120,000 to put curtain baffles – solar and wind power mixers in addition to that as he came before you last fall with an application for the Broad Brook project – when you are spending nearly \$20 million dollars to change the technology of the water treatment in order to address taste and odor issue which derive from the algae that's produced from the nutrient runoff from everything that's deposited into the watershed.

Mr. Waz said with that I thank you very much for allowing him to present our concerns to the Commission.

Chairman de Jongh asked if there were any other comments from the audience.

Chairman de Jongh said we are still awaiting comments from the town engineering department – he asked if staff had anything else to add.

Ms. Simone said no – she just believed that this requires further review.

Mr. Overton said he just wanted to understand if there was any further comments that the Commission expects to come in – he said we do have the engineering departments which we need to respond to – we have the staff comments and we have the City of Meriden comments – are you expecting any others.

Chairman de Jongh said do we have the engineering comments.

Ms. Simone said engineering department did submit comments and the applicant was waiting on responding to those until they got comments from all the other departments so they have not responded as of yet so the Commission is waiting for the applicant's response.

Chairman de Jongh said is he hearing that Darin is ready to respond to those comments at this point or not yet.

Mr. Overton said if we have all of them I ready to respond for the next meeting – he was just wondering whether you expect any others to come in or if that's all of them.

Chairman de Jongh said the only other things I can think of are comments raised this evening if you are in a position you can address those comments specifically from the City of Meriden and the comments that were raised by the residents who live nearby – if you've got commentary to at least address those issues that were raised – we're certainly are in a position to hear that this evening.

Mr. Overton said okay – since they are all interrelated he's like to prepare a comprehensive response but he will do that for the next meeting.

Mr. Overton said we did get a copy of the Meriden Water comments on Monday and we had a chance to review those – we do understand what their concerns with the nutrient loading.

Mr. Overton said he guess one question he would have is that if they have had a limnologist involved with understanding these nutrient loading issues has there been any result as far as they have been able to understand as to where the nutrient loading may be coming from – that may be help us in addressing some of those comments.

Mr. Overton said as far as what had existed on the site previously – he was unaware it was used for anything other than a horse farm – we were aware there were horse stables and there was a barn there – some of you might recall that that barn burned down at one time and the horses are no longer there but the remainder of the property he was not aware was used for any agricultural purposes.

Dr. Dimmick said as I recall the area immediately to the west of this property was part of the apple orchard complex that had been there – he did not remember the apple orchards extending into that property

historically but of course he didn't get here until 1972 and I've only gone back to records until about 1960 so I don't know how far back the Bishop apple orchards extended – the agricultural use that would be of worry would be some of the pesticides they used to use on the apples trees but he was not sure the apple trees ever go this far.

Mr. Overton said we'll investigate the history a little bit further but we have not done any soil testing of the soils because we had no reason to believe there was any need for that – but we'll investigate the history of the property further to try to address Mr. Eagan's concerns.

Dr. Dimmick said on the field trip the first crossing he asked was that going to be an 18" culvert and you said 15"- my concern was not whether it was adequate to carry the water but the fact of culverts of 15" tend to clog faster than culverts that are slightly larger and one of the concerns that had been raised by staff was maintenance of a culvert because of the fact that brush that's upstream of it can get clogged.

Dr. Dimmick asked if there was anything in terms of maintenance of these culverts after construction – any provision – its private property – there's no way anyone from the town can make sure they're kept clean.

Mr. Overton said he thought there's going to be a desire on the behalf of the homeowner that uses the driveway to keep that culvert clean so that it doesn't overtop and affect their access to the property.

Mr. Overton stated certainly these culverts all require some level of maintenance – that particular watershed down to that first cross culvert is relatively open other than a narrow band of wooded area along the channel itself so I don't think there's much potential for woody debris to collect there but we'll take a look at possibly upsizing that culvert and we can put some maintenance requirements on the plan so the future buyer is aware of inspection and maintenance of that culvert.

Ms. Simone said Mr. Chairman just for the record – on April 5, 2014 there was a public site walk and three commission members did attend and with there only being three members that was not a quorum therefor minutes were not kept on that meeting.

Ms. Simone said Darin a follow up question to you when you showed the proposal for the open bottom culvert you had asked if there was

any feedback that the Commission could give you – where there any information you were going to provide to the Commission for further review.

Mr. Overton said he guessed he just wanted to understand specifically what the concerns are so he can tailor the design to meet those concerns – the initial culvert that we had designed can go in quickly as it was summarized in the wetland impact assessment – the pipe can go in and the fill be placed and the construction is done quickly is stabilized – there is a permanent loss of the wetland and the nature stream channel however; he said no water what you proposed there are some sort of trade-offs but what we are proposing with the open bottom culvert would be to maintain the natural stream channel – lessen the wetland impact itself but there would be a little bit longer construction but he believe it's going to be a small area of impact and that can be properly controlled with sediment and erosion controls.

Mr. Overton stated and even then this is a simple culvert installation – none of them are going to take an extended period of time – we are talking in four weeks or less to build this.

Dr. Dimmick asked if you have submitted to staff any drawing for that open bottom culvert – do we have anything other than the picture you've showed us.

Mr. Overton said tonight he was just proposing that as an alternative to understand if this addressed some of the Commission's concerns or not – we can finalize the design of that.

Mr. McPhee said he believes it does – he said he personally liked the alternative that you proposed because it has less impact to the stream and in a lot of ways addresses some of the concerns the City of Meriden had an far as the impact to the watercourses bed.

Mr. McPhee said the other thing is he for one to echo Charles's comments earlier and also for your preparation at perhaps for the next meeting – he said he thought he would like to see a topo for the entire property seeing you are going to have to do it for Chesprocott anyway – he said he'd like to know the septic system is properly depicted on the maps we've had and also get updated current maps in front of us; and then obviously then to clearly address the engineer's comments and perhaps just clean up the maps we have in front of us so they are clearer especially in the areas of the crossing with regards to the topo.

Mr. McPhee said he thought he (Mr. Overton) was heading in that direction but it was just trying to state it clearly.

Dr. Dimmick said actually if we had a couple of spot elevations in some of those questionable places we could probably figure out what some of the topo is in there without having to redraw the whole thing – the ones where it's clearly an area – a couple of spot elevations would help greatly.

Chairman de Jongh said the issue has been raised a couple of times certainly by this Commission and again by the City of Meriden so whatever information you can provide to kind of clarify that would be helpful.

Chairman de Jongh said to Mr. McPhee's point –if you could delineate the advantages of the open culvert relative to where the pipe would be helpful in this Commission's deliberation as well – what the pros and cons might be.

Mr. McPhee said or if there are any other examples in town.

Ms. Simone said and with that could you (Mr. Overton) also include information on dewatering – how that would be achieved.

Mr. Overton stated yes.

Chairman de Jongh said seeing that there's a fair amount of information that still has to be receive by this Commission before we can decide the direction of this we will keep this public hearing open until our next meeting which is going to be on May 6, 2014.

Chairman de Jongh said we will continue this public hearing to our next meeting on May 6, 2014.

## VI. ADJOURNMENT

The public hearing was adjourned at 8:38 p.m. by the consensus of Commission members present.

Respectfully submitted:

Carla Mills  
Recording Secretary  
Cheshire Inland Wetland and  
Watercourse Commission