

**CHESHIRE INLAND WETLANDS AND WATERCOURSES COMMISSION
PUBLIC HEARING
TUESDAY, DECEMBER 2, 2014
CHESHIRE TOWN HALL 84 SOUTH MAIN STREET
COUNCIL CHAMBERS AT 7:30 PM**

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

Members Absent: Kerrie Dunne and Thom Norback.

Staff: Suzanne Simone.

Earl Kurtz served as secretary pro-tem in Kerrie 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 of allegiance.

III. ROLL CALL

Mr. Kurtz called the roll.

Members in attendance were Robert de Jongh, Dave Brzozowski, Charles Dimmick, Earl Kurtz and Will McPhee.

IV. DETERMINATION OF QUORUM

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

V. BUSINESS

Mr. Kurtz read the legal call to open the public hearing on the following item:

1. Permit Application	APP	2014-028
Fifteen North Plains Industrial Road, LLC	DOR	9/02/14
1430 Highland Avenue	SW	9/06/14
Site Plan	SW	9/10/14
	PH	10/07/14
	PH	10/21/14

PH	11/06/14
PH	11/18/14
PH	12/02/14
MAD	1/06/15

Chairman de Jongh explained the process in which the public hearing would follow.

Attorney Ryan Corey was present on behalf of the applicant.

Attorney Corey addressed the Commission. He explained he wanted to briefly summarize where we've come to at this point.

Attorney Corey explained as the Commission probably recalls, they submitted a previous plan for a day care center with the front of it bordering right on a major section of the wetlands near the center of the property.

Attorney Corey stated the Commission was concerned about the wetlands impact so they decided to revise the location of the building and move it towards the rear of the property which would be towards the east end which would significantly reduce the wetlands impact.

Attorney Corey explained as part of it they encountered some challenges with some of the logistics – namely now they are seeking to move a sanitary sewer line rather than going to Highland Avenue they'd like to have it go towards the rear and connect on Blacks Road.

Attorney Corey stated those plans were just submitted on Wednesday and they are working on some other things too – there's going to be some impact to the wetlands now in the rear of the property where the proposed sewer line is going to go.

Attorney Corey stated they are waiting on a report from the soil scientist they'd like to submit and also the sanitary sewer line proposal would have it go under a gas line so they have been working with Tennessee Gas – they've been out there – they've dug around it – verbally they seem okay with it but they'd like to wait until they get something in writing from them (Tennessee Gas) to submit to the Commission.

Attorney Corey stated so for those reasons we are asking for a continuance to January 6, 2015.

Chairman de Jongh said they certainly don't have a problem with continuing the public hearing until the 6th of January – it's important to note the public hearing needs to close on January 6 – we are running out of time. He said we've been kind of going back and forth on this now almost a couple of months.

Chairman de Jongh stated there are some ideas that this Commission needs in order to reasonable determine the proposed third modification to this is going to be acceptable – certainly they need something in writing from the gas company – we've also have to have comments back from our engineering department since they haven't had a chance to review this.

Chairman de Jongh said they're going to need some kind of delineated wetlands on the Blacks Road property.

Chairman de Jongh stated they're going to need a letter from a biologist stating that impact of the direct wetlands disturbance.

Chairman de Jongh stated they're going to need a response to the comments from the Regional Water Authority and they're going to need some details on the area to excavated and graded and stabilized with regards to the sewer line as well as the calculations of the direct and indirect wetland and upland impact areas.

Chairman de Jongh stated there's a lot of work that's got to be done and it's got to be received in sufficient time for staff and engineering to go ahead and do their thing – we are really up against a wall here relative to timing.

Attorney Corey stated the applicant is aware and we are hoping January 6 will be enough time but he does understand he's saying and they are scrambling as much as they can to get that information required so they will try to get it to them in plenty of time.

Attorney Corey explained they're pretty far along with the gas company – they've been out there – they've dug and all out plans have been submitted to them which they requested. He said he was hoping he'd event have something from this week but they don't but that's coming along and they should have a report on this wetland impact to the rear of the property.

Attorney Corey stated he does understand what he's saying (the Chairman) – they are trying to get that information to them as soon as they can.

Dr. Dimmick said to keep in mind they also have two holidays in there.

Chairman de Jongh recommended that if staff already hasn't that she convey to the applicant a list of items that we need from them.

Ms. Simone stated she'd supply that in writing.

Chairman de Jongh said his recommendation was unless there's any comments to the contrary that they continue this public hearing to January 6, 2015 and leave this public hearing open until then.

There were no objections from Commission members to keep the public hearing open until January 6.

VI. ADJOURNMENT

The public hearing was adjourned at 7:36 p.m. by the consensus of Commission members present.

Respectfully submitted:

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