

several months she's seen (she explained she called DEEP and they told her it was a town issue) people canoeing, dogs swimming, people walking along the edge of the water, the dumping of furniture and garbage.

Ms. Kleist said in her opinion there's not enough signage. She said she didn't know if the Commission could do something or could recommend something to the town or put up more signage because people can do whatever they want and they are.

Dr. Dimmick said he's asked staff to notify the Meriden Water Department – it is their land and they are the ones that do the enforcing on that (property).

Ms. Simone stated its private property – it's owned by the City of Meriden.

Ms. Kleist said she can call them.

Ms. Simone said it's Dennis Waz with the Water Department.

Dr. Dimmick explained anytime anything happens they show a great deal of concern – it's their water supply and their reservoir and their property even through its in Cheshire so we'll notify them of it and said if Ms. Kleist notified them too that would be fine to provide her first hand observations; he said he was sure the Meriden Water Department would be very interested in knowing what was going on.

Ms. Kleist thanked the Commission for their time.

At 8:15 pm:

Motion: To approve the minutes from the December 2, 2014 public hearing and regular meeting with corrections.

Public Hearing: pg. 2 L 10 delete "in"; pg. 3 L12 "determine" to "determine if"; pg. 3 L 43 "event" to "even".

Regular Meeting: pg. 4 L29 "on" to "on what"; pg. 6 L14 "agricultural" to "agricultural use", L 16 "or" to "of"; pg. 6 L40 "another" to "in other"; pg. 8 L44 "up" to "up with"; pg. 9 L24 "applicant" to "application"; pg. 12 L6 "comprised" to "compromise"; L38 "their" to "they're"; pg. 14 L21 "a" to "at a"; pg. 24 L30 "control" to "control mix"; pg. 25 under item number 2. Add "This application was subject to a public hearing tonight and further action deferred until January 6"; pg. 26 L10 "there" to "their"; pg. 27 L42 & 44 "Pithan" to "Pithian"; pg. 28 L37 "dominate" to "dominant"; pg. 30 L7 "will" to "sites will."

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

VI. ELECTION OF OFFICERS

Chairman de Jongh opened up the nominations:

Dr. Dimmick nominated Robert de Jongh as chairman. Ms. Dunne seconded the nomination.

Dr. Dimmick moved to close the nomination for chairman. Mr. Kurtz seconded the closing of the nomination.

Robert de Jongh was elected as chairman.

Chairman de Jongh nominated Charles Dimmick as the vice-chairman. Mr. Kurtz seconded the nomination.

Chairman de Jongh moved to close the nomination for vice-chairman. Mr. Brzozowski seconded the closing of the nomination.

Charles Dimmick was elected as vice-chairman.

Chairman de Jongh nominated Kerrie Dunne as secretary. Mr. Kurtz seconded the nomination.

Chairman de Jongh moved to close the nomination for secretary. Mr. McPhee seconded the closing of the nomination.

Kerrie Dunne was elected as secretary.

VII. COMMUNICATIONS

- 1. Notification from Northeast Utilities
Re: Scheduled Maintenance Activities by CL&P**

This communication was reviewed.

- 2. Attorney Correspondence Re: Permit Application #2014-028,
1430 Highland Avenue, Day Care Center**

This communication was reviewed. Ms. Simone noted this item was the subject of a public hearing tonight.

- 3. Engineering Comments Re: 1430 Highland Avenue, Day Care Center**

This communication was reviewed and was also subject of tonight's public hearing.

4. Conflict of Interest Ordinance

This communication was reviewed. Ms. Simone explained this is something that was sent out to all Commissions at the beginning of every year.

Handed out at tonight's meeting:

5. Tennessee Gas Company Easement for 1430 Highland Avenue

This communication was reviewed.

6. Email from Terrence McIntosh, 20 Smith Place

This communication was reviewed.

Ms. Simone said this email was received regarding the removal of material at his property which is under enforcement actions.

7. Determination of the Lack of Wetland Soils at 138 Highland Avenue

This communication was reviewed.

Ms. Simone said it was likely they were going to be submitting an application to the Planning and Zoning Commission and they wanted to notify this Commission that there are no wetlands or uplands (within 50') found on the property.

Ms. Simone shared the map of the property with Commission members and noted the property location and the location of the stream on the property.

There was a brief discussion about the property location and the proposal (relative to location of wetlands).

VIII. INSPECTION REPORTS

1. Written Inspections

a. 815 Allen Avenue

Ms. Simone stated there as a written inspection provided from the Public Works Department indicating that the work at 815 Allen

Avenue is now complete. She said this Commission might recall that there was a determination made that no additional permit was needed for the grading of topsoil, planting shrubs and stabilizing the stream bank which was originally done back in 2009 or 2010.

2. Staff Inspections

- a. Ms. Simone said there were staff inspections for several properties at Prinz Court. She explained the office received numerous complaints about the site conditions at out at the property; she's been out there numerous times but there are no wetland issues out there but it seems as though there are zoning issues and some housekeeping issues but no wetlands issues to follow up with.

Chairman de Jongh asked if they needed to send a communication to the person who notified our office about Prinz Court.

Ms. Simone stated they are in constant communication.

- b. 825 Wallingford Road

Ms. Simone stated there was a staff inspection of 825 Wallingford Road which was a follow up to the show cause hearing.

Ms. Simone explained at the last meeting and at the site she did go over the erosion control placement and it seems as though we're all on board.

- c. Dr. Dimmick said at his request he did have staff take a look at the earth moving next to the canal on West Main Street (because there was soil piled up there) but he understood it was all secured before night fall.

Ms. Simone stated they took it away that morning – they removed it so that was the Town working with the State when they were dredging out that area for the linear trail so the soil was removed to West Main Street and taken off site.

IX. ENFORCEMENT ACTIONS

1. Notice of Violation SC 1/07/14
Mr. Nathaniel Florian
Woodruff Associates
Unauthorized Activities in the Upland Review Area/Inland Wetlands

108 Blacks Road
Assessor's Map 19, Lots 43 & 44

Chairman de Jongh stated this item remains on the agenda for continued monitoring.

2. Notice of Violation SC 05/06/14
Ms. Suzy Lynn Antunes Ribeiro SC 06/03/14
SC 06/17/14

Unauthorized Activities in the Upland Review Area/Inland Wetlands
64 Rita Avenue
Assessor's Map 14, Lot 43 CO #12-2-2014-A

Chairman de Jongh said this item remains on the agenda for continued monitoring; it's doubtful anything will take place before the springtime.

3. Notice of Violation SC 08/05/14
Terrence and Deanna McIntosh SC 09/02/14
Unauthorized Activities in the Upland Review Area/Inland Wetlands
20 Smith Place
Assessor's Map 30, Lot 146 CO #9-1-2014-A

Chairman de Jongh stated as staff indicated earlier there was a correspondence from the applicant.

Ms. Simone explained yesterday she did receive an email from Mr. McIntosh and there was a copy of the email left in front of Commission member's seats tonight.

Ms. Simone read the email dated January 5, 2015 into the record – the email discussed the removal dates and stated that the work was more difficult than anticipated to frozen layers of debris and there were tree stumps and large size tree trunks that were difficult to unearth or move; he said they are looking at a frigid forecast for this week and if that effects this weekend's removal he would let her know as soon as possible.

Ms. Simone stated there is a compliance date of February 1 and that is a date established by Mr. McIntosh with a schedule he provided. She said there was discussion previously of weather conditions and she'd continue to monitor this.

Chairman de Jongh said although we gave him the February 1 target date it wouldn't be unreasonable since he's already started this to

work with whatever conditions are and give him some leeway to go ahead and continue that project as weather permits.

Ms. Simone said she'd be in communication with Mr. McIntosh before the February 1 date so if he needs to be in contact with the Commission she'd make him aware of that.

4. Notice of Violation SC 11/18/14
Whitney Watts SC 12/02/14
Unauthorized Activities in the Upland Review Area/Inland Wetlands
825 Wallingford Road
Assessor's Map 80, Lot 2

Ms. Simone stated the show cause hearing on this subject was closed at the December 2, 2014 meeting and there's a draft for the release of the notice of violation and cease and desist order; they did comply submitting a site plan and she did meet the property owner out at the site to discuss stabilizing that one bank area that was of concern for potential erosion.

Motion:

That the Cheshire Inland Wetlands and Watercourses Commission, having considered the factors relevant to the issuance and release of the subject Notice of Violation, Commissioners' knowledge of the area, and after review of Staff inspections and information provided on this matter, finds the following:

1. That on November 12, 2014, a Notice of Violation/Cease and Desist was issued to Whitney C. Watts for the unpermitted clearing in an upland review area in violation of the Inland Wetlands and Watercourses Regulations and IWWC Permit #2012-033.
2. That on November 18, 2014 the Cheshire Inland Wetlands and Watercourses Commission held a Show Cause Hearing and found the clearing activities were conducted in violation of permit #2012-033. The permittee was ordered to hire an engineer to survey the location of the clearing limit and work with Commission Staff for the installation of erosion controls.
3. That on December 2, 2014 the permittee's engineer submitted the required clearing limit survey and inland wetland delineation.

Therefore, the Cheshire Inland Wetlands and Watercourses Commission does hereby determine that the requirements stated at the November 18, 2014 and December 2, 2014 Show Cause Hearings have been met and completed. Further, the Commission does hereby release and discharge the aforementioned Notice of Violation.

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

X. UNFINISHED BUSINESS

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
		PH	1/06/15
		MAD	2/10/15

Chairman de Jongh stated this item was subject of a public hearing this evening that that public hearing was closed tonight.

Chairman de Jongh said he understood they didn't have comments back the town engineer on the change of the detention pond but we can still receive those and not allow the applicant to respond to that.

Ms. Simone stated yes and as the engineer stated – he said it was the same size and the same drainage calculations so she didn't anticipate there'd be any problems with the engineering department; she could provide the town engineer with the plans and get a review for this Commission for the next meeting.

Ms. Simone stated the Commission will have to act at the next meeting on this application.

Dr. Dimmick asked if staff has gotten all of the materials other than that (the town engineering comments) necessary to write up a proposal.

Ms. Simone stated yes – all of the required material that was stated on the record previously has been submitted.

2.	Permit Application	APP	2014-030
	Chris Hillburn	DOR	11/18/14
	80 Suffield Court		
	Septic Replacement	MAD	1/20/15

Chris Hillburn was present.

Mr. Hillburn explained he was following up on a request for septic system on his property.

Mr. Hillburn said he was here to follow up on questions the Commission had. He said one of them was about having Chesprocott's signature on plan – he said basically the plan is Chesprocott's plan because they are the ones that forced him to go down the hill so he didn't know why they didn't sign off on it yet.

Mr. Hillburn said the other two questions were about the primary ground with fill going over it and someone had a question about channeling going in.

Dr. Dimmick said the question they had is the plan showed the septic system entirely in the fill and unless the fill has unless they properly placed to that the fill has been properly roughened before you put the fill in then what happens with these septic systems the affluent gets down into contact between the fill and the underground and it just sheets down there. He asked if the fill was in place yet.

Mr. Hillburn stated no – he had to take down fourteen to fifteen trees first.

Dr. Dimmick said what's normally been the procedure is to make sure some is competent to watch the placement of the fill to make sure there's been a mixing with the underlying stuff so we don't get that layer.

Mr. Hillburn said he could do that but if they require Chesprocott signature – they were there with the first system and they told him there were five things wrong with that system – he stated he was not confident Chesprocott can adequately do the job.

Dr. Dimmick said we need the assurance that somebody is there with the right background to watch that fill going in so we don't just get somebody dumping fill and then end up with a channeling.

Mr. Hillburn explained he's spoken to the gentleman who's going to the project and he's indicated that he's well aware of the fact that it's

got the be roughed up or scuffed up but he didn't give him any indication if its 5" to 10" or 5' or what.

Dr. Dimmick said he's not too worried as long as the person knows what they're doing; he explained this is based on the fact that over the years we've seen stuff done wrong.

Mr. Hillburn said that's his problem now – his septic system was done wrong and apparently the dirt is too compact where it is so he has to work it down the hill because Chesprocott didn't like where its located.

Mr. Hillburn said he didn't know why Chesprocott didn't sign off on it – he said he's hired and paid an engineer to design it and worked with Chesprocott to put it together – he stated she forced us to go down the hill.

Dr. Dimmick said he saw a memo that stated there's been a change in the actual plan.

Ms. Simone stated the Commission would need you (Mr. Hillburn) to provide a signed copy from Chesprocott so she knows they have a stamped copy at their office so this Commission just needs a copy of that to verify.

Ms. Simone asked if the plan was going to change because when she did speak to Chesprocott they indicated that his installer expressed an interest in changing the amount of fill and changing the design so she (Chesprocott) was wondering where that was at.

Mr. Hillburn said he didn't think anyone could predict how much fill is needed – he said they're guessing how many truck loads they are going to bring in – he didn't think anyone could give an exact amount; he's asked three or four people how many truck loads he needed to bring in and they're not sure.

Ms. Simone said her impression with the conversation she had with her (Chesprocott) is that the concern is not there might be some change in the amount fill but design itself was possibly going to change.

Mr. Hillburn said his understanding is the plan will change as of now – he said he had three gentleman looking at the project and all three went down to talk to her – a couple of them were going to try to put it where the existing septic system was – he said it's now for a three bedroom septic system so if he's paying the money he'd rather have

it for a four bedroom so his goal is to have it set up for a four bedroom system since the neighborhood he's in are four and five bedroom homes.

Mr. Hillburn said it's his understanding the septic system is large enough to accommodate a four bedroom home and by moving it down the hill it's supposed to meet all the perk rates she's looking for and requiring.

Chairman de Jongh said he thinks the issue is if there's going to be a change and the system is set up for a three bedroom and there's going to be a chance to a four bedroom and their going to be a configuration change we need to be aware of that and Chesprocott needs to be able to sign off on that.

Mr. Hillburn said the system was already designed for four bedrooms so there should be no changes associated with it but he has to go back and confirm that with Chesprocott and he has to go back and confirm that with his engineer – he said he needs to make sure it's good enough and well enough to go for a four bedroom home – he said if he's doing it he might as well plan for the future; he said they are putting in a bigger tank and thought it was a 1,500 gallon tank so they are going bigger tank – bigger reserve and the goal is to go with the largest system they can get approved.

Chairman de Jongh said so the only issue we have to it make sure we have a copy of stamped copy that Chesprocott already has on file – a copy for the Commission's records.

Mr. Hillburn understood he needed to go get the stamped copy from Chesprocott and give it to the Commission (staff).

Ms. Simone explained there was a mandatory action date of the next meeting which is January 20 so the Commission would need to make a decision on January 20 so if they could get that map as soon as possible from Chesprocott they could finalize that issue.

Chairman de Jongh said before they can vote on a motion staff creates they need all the pieces in place so that's why they need to have that before the January 20 meeting.

Mr. Hillburn said he'll try to get it (the signed copy from Chesprocott) for tomorrow or by this week.

XI. NEW BUSINESS

There were no new business items.

Return to the approval of minutes at 8:15 pm.

XII. ADJOURNMENT

The regular meeting was adjourned at 8:16 p.m. by the consensus of Commission members present.

Respectfully submitted:

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