

**CHESHIRE INLAND WETLANDS AND WATERCOURSES COMMISSION  
PUBLIC HEARING  
TUESDAY, AUGUST 4, 2015  
TOWN HALL 84 SOUTH MAIN STREET  
COUNCIL CHAMBERS AT 7:30 P.M.**

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

**Members Absent: Kerrie Dunne and Thom Norback.**

**Staff: Suzanne Simone.**

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

**I. CALL TO ORDER**

**Chairman de Jongh called the public hearing to order at 7:30 pm.**

**II. PLEDGE OF ALLEGIANCE**

**All presented 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 enough members were present for a quorum.**

**V. BUSINESS**

**Mr. Kurtz read the legal called to open the public hearing on the following:**

<b>1. Permit Application</b>	<b>APP</b>	<b>2015-021</b>
<b>Apex Developers</b>	<b>DOR</b>	<b>07/07/15</b>
<b>Coleman Road</b>	<b>SW</b>	<b>07/14/15</b>
<b>Subdivision</b>	<b>PH</b>	<b>08/04/15</b>
	<b>MAD</b>	<b>09/08/15</b>

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

**Ryan McEvoy, PE of Milone and MacBroom was present on behalf of the applicant. William Root, certified soil scientist of Milone and MacBroom and Attorney Anthony Fazzone were also present.**

**Mr. McEvoy addressed the Commission.**

**Mr. McEvoy explained that he would make a presentation of the proposal and then turn it over to William Root, certified soil scientist to describe the onsite wetlands.**

**Mr. McEvoy stated he'd briefly describe the proposed conditions of the site and Mr. Root will describe the wetlands in detail in the areas of proposed wetland impact.**

**Mr. McEvoy explained the site is a 20 acres property on the east side of Coleman Road – it is presently bounded by residential properties in an R-80 zone – to the east along Tamarack Drive – residential properties to the south along Philson Court and former agricultural land to the west of the Leavenworth Tree Farm.**

**Mr. McEvoy stated currently the property is used for agricultural purposes – animal grazing and things of that nature.**

**Mr. McEvoy stated the site is oblong in shape – it's rather unique – it has a long stretch in frontage along Coleman Road and then a large area of upland soils to the rear of the property.**

**Mr. McEvoy stated there are three areas of wetlands on site – the first being a broad wetland corridor in the grassed area along Coleman Road – a small intermittent watercourse in the eastern central portion that drains to the north towards the Tamarack Road properties and a stream wetland corridor to the east.**

**Mr. McEvoy stated the site is divided into two primary watersheds with the high point located in the central portion of the site – from the central portion towards Coleman Road the site drains to the wetland corridor towards the north towards the existing house and barn structures and to the east of the site it drains towards the watercourses on the eastern part of the property which are eventually directed towards the Broad Brook Reservoir.**

**Mr. McEvoy said this is located within the Broad Brook Reservoir Watershed and also the Mill River Watershed.**

**Mr. McEvoy stated they did notify both the South Central Regional Water Authority on this application and the Meriden Water Company.**

**Mr. McEvoy said he'd like to turn it over to Mr. Root to discuss the onsite wetlands.**

**William Root, a soil scientist with Milone and MacBroom and wetland ecologist addressed the Commission.**

**Mr. Root explained that he prepared a wetland delineation and impact assessment report which was submitted with the application – it's dated June 23, 2015.**

**Mr. Root stated he delineated the wetlands on the site and the wetlands consist of three areas – the first wetland is near Coleman Road - it's a little bit less used agricultural land.**

**Mr. Root explained he flagged the wetlands in April and things were very, very wet at that time. He said this wetland drains gradually towards the north and then to the west – he thought it was in the Willow Brook and Mill River Watershed.**

**Mr. Root said so this is a small wet meadow setting – it's been used for agricultural purposes – it's been mowed and grazed significantly – the plants there are mostly small herbaceous specimen Soft Rush – there's a little bit of an excavated depression where there's Cattails where there's standing water.**

**Mr. Root stated there are herbaceous species which are generally good for wildlife – wildflowers might be there so you might have some butterflies and bees – pollinators in that area. He explained it's a water source for areas near by which wildlife could use – you have a lot of deer traversing the area and it's a local wildlife habitat was the primary function and value of this small wetland area along Coleman Road.**

**Mr. Root said the next wetland area is farther to the east – it's in the Broad Brook Reservoir Watershed – it's in the center of the property. He explained this wetland is more forested – there's an intermittent watercourse going through it – typical trees you'd find in this area – Red Maple, Yellow Birch, American Elm, Spice Bush – there's a very**

**strong component of herbaceous species here – Multiflora Rose is very problematic –he said this is often the case where wetlands have been grazed overtime so the turning over of the soil all of the time by livestock tends to generate an opportunity for invasive species to get in there and that’s the case in this wetland to the east as well as to Coleman Road to a lesser degree.**

**Mr. Root stated there is a small intermittent watercourse – there’s a very deep trough on what is proposed to be lot 4 which drains off the property to the north then turns downhill towards the east as well. He said he didn’t know if there was an old curtain drain that outlets there – he couldn’t find anything put it seems like the area that would direct underwater into a trough or it may have been excavated to generate an area for runoff to accumulate and flow through.**

**Mr. Root said he placed flag on April 7, 2015 and located them with a handheld GPS equipment – the flag locations were transferred onto the site plans; the wetland mapping that you see here is accurately portrayed.**

**Mr. Root said three small wetland areas – one wet meadow setting – one forested perineal wetland and watercourse to the east and an intermittent watercourse at the limits of the fields on the northern side of the property line.**

**Mr. Root asked if there were any questions about how the wetlands were flagged or located on the mapping.**

**No questions were asked.**

**Mr. McEvoy explained what they are proposing on the site is a 7 lot residential subdivision with 6 of the lots containing new single family homes – all of the lots will be designed in accordance with the R-8-zoning standards.**

**Mr. McEvoy stated the homes would be served by septic systems and public water. He stated there’s a public water service available in Coleman Road.**

**Mr. McEvoy stated the 6 new lots were going to be focused in the eastern-southern 14 acres of the site with the 7<sup>th</sup> lot being the existing house which will remain almost 6 acres in size so the proposed activities are focused on the southern portion of the site.**

Mr. McEvoy stated all of the 6 new lots will take access off of a proposed roadway that's designed in accordance with town standards that originates along Coleman Road and extends approximately 850' into the site terminating in a cul-de-sac.

Mr. McEvoy explained 5 of the 6 lots will have frontage fairly close and reasonably short driveways with access to the roadway and the rear most lot will have access to a 50' strip to the cul-de-sac itself.

Mr. McEvoy said with all the proposed lots they don't have any regulated activities with that – all of our regulated impacts are associated with the construction of the roadway itself directly off of Coleman Road.

Mr. McEvoy said the roadway itself has been designed accordance with town standards – 30' wide paved surface – curbs – sidewalks are on one-side. He explained they are seeking a waiver for sidewalks on the south side of the roadway but that doesn't impact the nature of the grading of the road nor the grading of the shoulders on the side.

Mr. McEvoy said the revised plans that you have depict a new proposed grading across the wetlands – we lowered the proposed grade somewhat so eliminate the need for retaining walls which was part of our original application and also the revised plans have a slight lowering of the road result in a direct wetland impact of 4870 SF – previously on the initial plans we were at 4975 SF and we don't have any retaining walls with the exception of a small headwall and end wall in a cross culvert that will be built into the roadway.

Mr. McEvoy stated presently the grading of this wetland area - the runoff drains directly through a small narrow trough on the eastern section of the corridor and we have placed our cross culvert at that location to convey runoff to the south that runs to the north through the property.

Mr. McEvoy said the very small watershed that is directed to that cross culvert - and we've proposed as part of these revised plans an elliptical pipe through that area in order to convey that runoff because of the lower roadway we have restrictions on the amount of cover on that pipe – the elliptical pipe will convey the runoff from south to north.

Mr. McEvoy stated runoff from the proposed roadway will be directed towards the new detention basin which is located to the east of the

wetland corridor. He said the detention basin both in the wetland area and additional detention basin in the east are designed with water quality features to retain the first inch of runoff from proposed impervious surfaces in accordance with DEEP Water Quality Manual and we also have a sediment chamber oil grit separator at the discharge prior to the detention basin to collect coarse sand and runoff designed in accordance with both town standards and DEEP standards as well.

Mr. McEvoy said with respect to the crossing itself – there was some discussion that we had with both this Commission and engineering about the nature of the runoff through the site from the south to the north along with the existing grades through the wetland corridor and it was suggested by the Commission that we approach the town or discuss what could be proposed in order to assist with the conveyance of runoff from the north to the south and given the grades and the fact that this whole area does drain to that existing trough – and there is no obvious ground water seeps and the roadway will be constructed in fill.

Mr. McEvoy said the town engineer Don Nolte did let him know that his concerns regarding the seepage envelop are something to that effect – beneath the town road is something he would not be in support of and the drainage pattern through here would reasonably conveyed through the culvert as proposed.

Mr. McEvoy stated the plan again as was more or less originally shown collecting surface runoff conveying it through the trough to the opposite side.

Mr. McEvoy said there were a couple of other revisions that we included in the plans based on the comments from the town engineer including some original sediment and erosion control measures on the eastern side of the site – minor tweaks and clarifications on the storm drainage system itself with respect to catch basins and roof leader runoff.

Mr. McEvoy explained one of his (the town engineer) comments – a suggestion on his part was to establish a swale or a diversion berm along the property line to keep any surface runoff that may exist now going to the north across the property line and direct it towards that wetland corridor – the intermittent watercourse located on lot 4.

Mr. McEvoy stated he felt that may not be the best idea for this particular site – one of the items that was noted during the field walk

with the Commission is that there appears to be some minor erosion in the vicinity of this existing intermittent watercourse and that the concentration of runoff that currently now sheet flows across open fields and some wooded areas into this intermittent might not be the best interest to collect it and concentrate it some sort of swale or a diversion. He said this was the only idea on his (town engineer) suggestion that we don't necessarily think might not be the most appropriate thing to consider for this development.

Mr. McEvoy said this application was considered a significant activity – they prepared a plan showing how the site was originally intended to be accessed with a proposed roadway and this plan essentially depicts the roadway entering into the site through the existing paved gated driveway entrance on the property – in a similar manner is directly towards the proposed lots are going to be located and that seems to be the logical place where we would have stated with the runway whether or not any wetland considerations for this property because the fact it's an existing curb cut.

Mr. McEvoy explained by locating the roadway where it would have originally thought have been best – the impact to the wetland corridor is greater than where we show now which is to the south of that existing gated entrance – the roadway location in this alternate plan will impact 6500 SF plus of wetlands whereas right now we are under 5000 SF.

Mr. McEvoy stated the roadway is designed with the geometry of standard cross section and horizontal curvatures required by the town and our proposed plan as we currently have it is as far south as we can possibly get it on this property.

Dr. Dimmick said he presumed this must be redrawn from some earlier plan – he said this has today's date on it.

Mr. McEvoy said it was their original thought when we were laying out conceptual designs for subdivision before we had the opportunity to identify the current wetland condition – he said what they might see in this particular plan is the detention basin is located on the south side of the roadway - there is a wetland finger that extends to the north of the roadway that the current proposed location of the road – they were able to keep the basin between that wetland flag 15 and 14 and the roadway under this alternate plan with more wetland impact the basin would fit more snugly on the south side of the road.

Mr. McEvoy stated this plan hasn't been presented to the Commission before so we did provide it with today's date so it doesn't confuse what was already submitted.

Mr. McEvoy said to discuss the impact to the wetlands he'll turn the presentation back over to Mr. Root unless there are any questions about the storm drainage design or roadway design itself.

Mr. Root explained that he was out there (at the site) in April – only that one time in April when he was flagging the wetlands and did look around at potential crossing areas for the roadway – some of the factors that Ryan talked about was there is also a fair bit of fill in the area of the apron way off of Coleman Road also along the property line – that area has been filled several feet on that side of the property so it may have been wetlands to the south of the existing wetland at one time.

Mr. Root stated there is also some fill areas and some excavation to the north a little bit where the drainage basins are proposed – including the grazing that's going on – the wetland area is fairly disturbed up in the southern limit of it – it may have extended even farther.

Mr. Root said the major factor for him was trying to help Ryan look at where the most suitable place to get across was and find out what was the narrowest place to get across and if there's no obvious problem with that ecologically then they have to try to direct an application to the Commission to replace where the wetland footprint disturbance impact would be the least – he said that's what's occurred here because the pinching of the wetlands occurred.

Mr. Root said one factor to keep in mind is that we are really at the limit of the wetland in the very, very upper reach so there really isn't much hydrology here as Ryan described so this area dries out a fair bit as well and it has already been disturbed.

Mr. Root said as far as gaining other access and he talked to Ryan about the other properties and they are not available and there is not real access off of Tamarack or any of these other locations.

Mr. Root stated as far as accessing the developable portion of the site this seems to be the only chance to get in there and he thought Ryan's design was appropriate for crossing the upper reaches of a small wetland like this.

Mr. Root explained the bulk of the wetland is to the north – that's very unlikely to be impacted by what goes on here in the crossing and Ryan has controlled and cleansed the runoff he did not think it was likely there'd be any long term significant negative impacts to the remainder of the wetland area.

Mr. Root said he thought they were crossing in an appropriate place and the narrowest place and there doesn't seem to be any other way to get in and the engineering aspects of the design are going to make sure you are not going to impact the bulk of the wetland as broadens out farther to the north and then evenly gets into the big watershed in greater areas.

Mr. Root said other places Ryan talked about – the other wetlands on site – they were outside – generally the activities outside the upland review area – some places are fairly steep so they'll need to take some care with the erosion control measures here – some of the fine grain soils can be silty and once we get away from the flatter meadow areas and down into some of the wooded areas you'll need to take care of erosion controls but those are sort of standard features on any site plan but it will take some care in construction methodology.

Mr. Root stated he thought this was the best way to get in and he thought the design was appropriate and he didn't see any long term negative impact on the greater part of the wetland to the north.

Dr. Dimmick asked if he received a copy of a memorandum from the Meriden Water Company with their concerns.

Mr. Root said he thought Ryan received that.

Mr. McEvoy stated he received an email correspondence from Mr. Waz of the Meriden Water Company where he indicated that the proposed lots to the east – namely lots 4 and 5 and 6 he would like to be made aware should this application receive approval and then come back for individual site plan review – that he (Mr. Waz) he made aware of those applications out of concern about the possible placement of the septic areas – he said its typically that with this amount of regulated areas or wetlands on them – the Commission requires to come back for individual site plan review at the time a building permit is looking to be obtained. He said they don't have any objection to that except for lot 6 – there are no regulated areas nor wetlands on that propose lot.

Mr. McEvoy stated the storm water management basin which he (Mr. Waz) references is located both on lot 6 and lot 5 and the basin as it does convey runoff in the roadway be constructed as part of the roadway construction itself so ultimate should this receive approval it would be to construct a roadway and a stormwater management basins with the understanding that individual lot development and construction may vary somewhat from what we show on the plans although what we demonstrated is certainly a feasible way that these lots could developed.

Mr. McEvoy said ultimately we have no objection certainly for lots 4 and 5 to come back for individual site plan review and of course with any application that would be required we'd have to notify the Meriden Water Department by state statute.

Mr. McEvoy stated they did also receive a comment letter dated July 16, 2015 from Regional Water Authority and they did note the storm water management systems appear adequate in comment number 2 and in comment number 5 they stated that there does not appear to be a feasible or prudent alterative to the wetland crossing – they do suggest the use of lawn chemicals in the wetland buffer be discouraged and the buffer area be maintained in a relatively natural condition.

Mr. McEvoy said other than the two areas where we are proposing regulated upland review impacts for the approach of the roadway to the wetland crossing – on both the east and west side along with the storm water management basin itself – we don't have any other proposed activities in the upland review area.

Chairman de Jongh said to make the record complete – to reference the email that both Mr. McEvoy and Dr. Dimmick referred to – it's from Dennis Waz, director of public utilizes of the City of Meriden and was dated July 30, 2015 addressed to our staff Suzanne: "Suzanne: After review of the site development plans forwarded to me by MMI, I offer the following comments and concerns:

My comments and concerns are directed mainly to proposed lots #4, 5, and 6 of the plans. The property contains streams that flow to Broad Brook Reservoir pond three. My concerns with lots 4 and 5 are the septic locations, and possible nutrient loading that could effect the wetlands and feeder streams. Septic systems for both lot locations are very close to the feeder streams and the upland review area. Lot #6 contains a storm water detention basin (located down grade from the septic system) which also presents the potential to

**load the feeder stream with nutrients collected from storm water run off. I am requesting the IWWC to consider placing conditions on the three building lots that would require individual permitting and I would like to be notified of meetings/hearings related to these permits. If you have any questions, please contact me. Thank You. Dennis Waz, Director of Public Utilities City of Meriden.”**

**Mr. McEvoy said he wanted to add one item to his (Mr. Waz) email with respect to the septic systems – neither the septic on lot 4 and 5 are located within the upland review area and in fact even though the septic system is proposed for lot 4 it is located approximately 55’ to 60’ from the intermittent watercourse nearby – it’s on the down slope side of the ridge and surface water and ground water are directed to the east away from this area most likely – but they have no objection to his (Mr. Waz) being notified of any future applications on those lots.**

**Chairman de Jongh said as Suzanne had pointed out earlier the town engineer was able to receive your comments from the communication that was submitted by them earlier – he didn’t believe they’ve had time to review those replies so that information would be certainly be important in the discussion of the public hearing.**

**Dr. Dimmick said so you’re suggesting we continue this specifically for receiving those comments and not for anything else.**

**Chairman de Jongh stated that was correct unless there is something else that Commission members are brings up or if Suzanne has any other issue.**

**Chairman de Jongh asked if there were any questions from the audience – there were no questions.**

**Chairman de Jongh said he’d like to keep this public hearing open for receipt of the comments from the town engineer and that way we could address everything completely at the next meeting – the public hearing would be left open specifically for those engineering comments.**

**Attorney Fazzone said he wanted to point out one thing in terms of when you look at the configuration of the lot – he said he went back and did some title work and the configuration of the property that is this subdivision has existed the last cut off was in 1952 which was before the wetland regulations went into effect so there was no**

**consideration at that point in time – even available to them with respect to any future development of the property.**

**Attorney Fazzone said they would make a concluding statement at the end of the public hearing.**

**Chairman de Jongh continued the public hearing to Tuesday, September 1, 2015.**

**VI. ADJOURNMENT**

**The public hearing was adjourned at 7:59 p.m. by the consensus of Commission members present.**

**Respectfully submitted:**

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