

**CHESHIRE INLAND WETLANDS AND WATERCOURSES COMMISSION
REGULAR MEETING
TUESDAY, NOVEMBER 1, 2016 – TOWN HALL – 84 SOUTH MAIN STREET
COUNCIL CHAMBERS – 7:30 P.M.**

Members present: Robert de Jongh, Charles Dimmick, Kerrie Dunne, Earl Kurtz, Will McPhee and Thom Norback.

Members Absent: Dave Brzozowski.

Staff: Suzanne Simone.

I. CALL TO ORDER

Chairman de Jongh called the meeting to order at 7:30 pm.

II. PLEDGE OF ALLEGIANCE

All present recited the pledge of allegiance.

III. ROLL CALL

Ms. Dunne called the roll.

Members present were Robert de Jongh, Charles Dimmick, Kerrie Dunne, Earl Kurtz, Will McPhee and Thom Norback.

IV. DETERMINATION OF QUORUM

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

V. APPROVAL OF MINUTES – Regular Meeting – October 4, 2016

Chairman de Jongh called for a motion to approve the minutes from the October 4, 2016 regular meeting.

Motion: To approve the minutes from the October 4, 2016 regular meeting with corrections. Pg. 6 L29 delete “that”; pg. 7 L32 “displayed” to “displaced”; pg 11 L6 after “and” add “asked staff if”; pg. 13 L6 “sighted” to “sited”, L14 “fail saves” to “failsafe”; pg. 15 L30 “line” to “plan”; pg. 15 L34 “one think” to “say one thing”.

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

VI. COMMUNICATIONS

Ms. Simone reviewed the following communications:

1. Staff Communication w/attachments Re: Permit #2016-033
1572 South Main Street, Parking Improvements

This communication was reviewed. Ms. Simone stated this item would be covered under the new business on tonight's agenda.

2. State of Connecticut DOT Notification Re: Farmington Canal
Heritage Trail Extension, Cornwall Avenue to West Main Street

This communication was reviewed. Ms. Simone stated this item would be covered under the new business on tonight's agenda.

3. Bond Release Request for IWWC Permit # 2015-013B, 10 Prinz Court

This communication was reviewed. Ms. Simone stated this item would be covered under the new business on tonight's agenda.

VII. INSPECTION REPORTS

1. Written Inspections

- a. Ms. Simone stated that information was sent to the permit holder on Mountain Road that they have not conducted any of their inspection reports and she received word from them today that they will follow up and get that information in.

Mr. Norback asked what project was the written inspection for on Mountain Road – what lot was that.

Ms. Simone said she did not have the map and lot information.

It was noted it's that lot that has the steep drop off from the road; they received their permit in July.

- b. Ms. Simone stated that the building department received a request for development on Higgins Road and the wetlands permit for that

property has long expired so they have been notified in writing that they will need to come back before the Commission.

2. Staff Inspections

- a. Ms. Simone reported there was a staff inspection of 10 Prinz Court in support of the bond release under new business tonight.
- b. Ms. Simone said on Knotter Drive where the former Alexion site is there was some debris that was pushed to the boundary of wetlands and that has since been removed.
- c. Ms. Simone said on Strollo Court there's ongoing discussion and inspection of the sanitary sewer; there's some grading issues in and around the wetland area and that's something that's still be worked on.
- d. Ms. Simone explained that on Willow Street the Commission had received written notification back in August the homeowner had concerns about some depressions that were forming in their yard and they notified the Commission that they were going to be digging within the yard and if they needed to dig within the woods it may be an emergency situation but they verified that they found stumps buried as Dr. Dimmick predicted and that they stayed within the lawn area to remove those stumps so no impacts to the wetland area.
- e. Ms. Simone stated there was an inspection of 858 Farmington Avenue in support of their permit that was issued at the last meeting for their erosion controls.
- f. Ms. Simone reported that the canoe launch at Quinnipiac Park – that is something that is still ongoing and we are working with US Fish and Wildlife; they have to go through other permits before the town can start.

Dr. Dimmick asked how long it is going to be before the bridge on East Johnson is finished.

Ms. Simone stated she believed that was going to be relatively soon – they are projecting that it will be completed as far as the work in the water – she said she didn't know what the time frame is of when they plan to open the road.

VIII. ENFORCEMENT ACTIONS

Ms. Simone stated there were no enforcement actions.

IX. UNFINISHED BUSINESS

Ms. Simone stated there was no unfinished business.

X. NEW BUSINESS

1.	Permit Application	APP	2016-033
	Charles Nicholls/VCA Animal Hospital	DOR	10/18/16
	1572 South Main Street		
	Site Plan – Parking Improvements	MAD	12/22/16

Matthew Ducsay, PE with Milone and MacBroom was present on behalf of the applicant VCA Cheshire Animal Hospital.

Mr. Ducsay said for those of you not familiar with the site – the site is located in the southern end of town – it’s just south of Cook Hill Road on the east side of Route 10; it’s between the cross streets of Rising Trail and Bradford Drive on the west side of Route 10.

Mr. Ducsay explained the property totals 6.5 acres in size; he said based on the map much of the land is undeveloped in the rear portion of the property; again, the front half is developed while the rear portion is undeveloped.

Mr. Ducsay said the property is abutted on all sides by residential other than on the north side – there’s a dentist office located on the north side near the property.

Mr. Ducsay said topographically the property slopes from north to south across the property and then some onsite slopes from south to east / west to the wetland which is shown on the map.

Mr. Ducsay stated this property contains approximately .41 acres of wetland soils – the wetland soils are regulated to the southern boundary; from the point the wetlands flow southerly pretty much parallel to Route 10 down towards the intersection of Fenn Road and Route 10 at which point they go westerly towards Willow Brook and are culverted under Route 10 at that point.

Mr. Ducsay stated Willow Brook is a public supply watershed so being as such a notification of this application has been sent both

the Department of Public Health as well as the Regional Water Authority.

Mr. Ducsay said the application itself calls for parking improvements as well as a new entry element.

Mr. Ducsay said for those of you familiar with the site – VCA Cheshire Animal Hospital has been part of the community for a long time and in that time, has experience growth.

Mr. Ducsay stated there have been a number of additions put on the building and just recently earlier this year we have had to upgrade the septic because the expositing septic system on site was failing because it was undersized per the code.

Mr. Ducsay explained the business has been growing and its come to a point where they are severely under parked; he said during the peak hours you'll see double stacked cars along the entrance drive in front; the employees are instructed to park in back and many times you'll see the access drive leading to the back line of cars as well as a sea of cars behind the building.

Mr. Ducsay said the building is severely under parked at this point per the number staff members they have on site and to serve the needs of the customers that utilize the business.

Mr. Ducsay said the proposal in front of the Commission calls for the construction of 71 parking spaces; that's 33 in the rear for staff and 38 more in front of the building as shown on the map.

Mr. Ducsay said under existing conditions – the access drive comes in and they have striped a number of spots - 16 striped spaces for customers but it is not sufficient to suit their needs.

Mr. Ducsay explained they also had an existing parking lot in back which is very undersized.

Mr. Ducsay said what they would like to do is construct parking that's going to suit their needs and in addition to that – the application calls for a new entry element – they are going to be putting a portico in front of the building to dress up the western façade; in addition to that they have also out together a detailed landscaping plan in conjunction – working with the applicant in order to create something esthetically pleasing given that this site is

existing non-conforming; it's an R-40 zoning district so it is in a residential zoning district and in order to try to maintain that residential character the applicant has requested a number of landscaping plantings.

Mr. Ducsay asked if they are taking down a house that's in front.

Mr. Ducsay stated correct – there's a residential structure currently located just in front of the building – as shown on the site plan – that residential structure will be taken down as part of the site improvements.

Mr. Ducsay said although it's not within the preview of this Commission, he just wanted to hand some of the elevations of the western façade just so you could get an idea of that portico entrance they are looking to create.

Mr. Ducsay said it's a very minor project that's shown on the plans – its more or less an entry statement; in addition, they want to create a little brick paver bench area in front – its more or less for customers – a waiting area; inside the building they don't have much space for customers waiting.

Mr. Ducsay stated the building is served by public water and as he stated before they've just designed a new septic system which was just recently completed.

Mr. Ducsay said the storm water management basin proposed improvements is located on the southern boundary shown on the plan – the storm water management basin has been designed in accordance with town standards to mitigate all increases in flows for peak rates for storm 2 through 100; in addition, storm water management basin retains the water quality volume from the impervious surfaces on site as well as the ground water recharge volume.

Mr. Ducsay stated the basin also contains an under drain to ensure that it drains dry in times that it might be drought conditions so they don't have stagnate water just standing in the basin.

Mr. Ducsay said in addition to that with a basin designed on this particular site we did soil testing as part of the septic system and noticed that the site contains a lot of course sand and gravel so in order to take advantage of those well drained under lying soils they

did test pits in the detention basin area; they did a test pit that goes 3' below the bottom of that basin to ensure you're not into the ground water table as well as not hitting any ledge in that area because we want to take advantage of those well drained soils.

Dr. Dimmick said he thought it was at least 40' to rock.

Mr. Ducsay said right, we went down as deep as we could with the excavator on site and did not encounter any ledge or any ground water at that area.

Mr. Norback asked if they already did the septic improvements.

Mr. Ducsay said yes – that's been installed; he showed on the plan the location of the new leaching field; it was a repaired system for the leaching field that was backed up so that repair system was installed in the previous 2 to 3 months.

Mr. Norback asked didn't they run city sewer up to Rising Trail when that was built.

Mr. Ducsay stated yes – the nearest sewer is located in a residential cul-de-sac (shown on the plan); there is sewer at the intersection of Rising Trail and Harrison where it intersects so it's not proximate to the site.

Mr. Ducsay said before we did this repair septic system we actually did a sanitary sewer feasibility assessment for the client to determine whether or not it made sense to tie into the sewer in the nearest locations in order to do so. He explained that they ultimately elected to design a new subsurface sewage disposal system which was recently installed.

Dr. Dimmick said he thought he remembered it in that area; you've got the surface soils of poor drainage and excessive drainage below it.

Mr. Ducsay stated that's correct and the surface soils were much siltier than the underlying soils.

Dr. Dimmick said if it weren't so flat he'd worried about erosion because that Branford silt erodes like crazy but that property is fairly flat and it shouldn't have been a problem.

Ms. Simone said just to clarify – it looks like there's a driveway entrance to the north – does that go to a neighboring property.

Mr. Ducsay said that was the access to the dentist office; he pointed to an area on the plan where the existing tree line was located; and pointed to the existing yard areas as well as the proposed yard areas.

Ms. Simone said so that tree line belongs on this subject property that is not the neighbor's property.

Mr. Ducsay said correct – the property line is (shown on the plan) so that is on the property. He said the neighbor actually has the survey that was submitted with the application package that identified areas of encroachment on the neighboring property so the neighbor's property actually encroaches on to this property and that was identified as part of the A-2 survey that was prepared for this property when this project began.

Chairman de Jongh asked if you are going to have to do improvements in the entry road to be able to be able to access that new parking lot in the back and what is the distance between the elbow in that road and the wetland area.

Mr. Ducsay said yes they are going to have to make improvements; the standard travel way is 24' wide in town so in order to design a code compliant parking area as well as travel aisle this access has to be bumped out and you can see clearly that a portion of that access is within 50' upland review area and that's in order to design it in accordance with the zoning code for parking.

Dr. Dimmick said it's about a 6' encroachment into the upland review area.

Mr. Ducsay said the distance from the wetland edge to the impervious surface – that is 45'.

Mr. Ducsay said the plan depicts .12 acres of disturbance in the 50' upland review area and a portion of that is for the access drive; and the remaining portion is for the construction of the storm water management basin that's located in (and area shown on the plan) and that's the majority of the upland area impact – that number is .12

acres which is just over 5000 SF; the application does not propose any direct impacts to the wetland.

Mr. Ducsay said as far as the storm water management basin we have attempted to down size it as much as possible while meeting the design code which is not increase in peak rates of run off for all storms; he said they took advantage of the under lying soils and infiltration.

Mr. Ducsay said you can kind of see that we've tried to push it to the east as much as possible; one to be close to the receiving waters because it's going to be discharged to the wetlands where it goes under existing conditions and to elevate this homeowner to the south from having a storm water basin directly adjacent to his property so it was their feeling that the storm water basin location made the most since not only from a design standpoint but also when considering butting property owners.

Mr. Ducsay said all of these parking areas are designed to be curb less – there are no curbs here much like under existing conditions so the front parking areas is designed to sheet flow to the south then it gets picked up via a grass swale which discharges to a basin so it's all sheet flow to maintain that residential feel because if you start creating hard lines with curbing and stuff it just doesn't make since at this location.

Mr. Ducsay said the rear parking area actually drained via a conventional pipe and inlet system and the reason for that is the proximity of the subsurface sewage disposal system – to try to create a swale in back here and get everything to sheet flow around this corner and get to the basin is not feasible so we needed to design a back with a catch century located low point to collect the drainage and then pipe that down towards our storm water management basin.

Chairman de Jongh said he sees two things on the map that he wanted to mention for the record – he said you mentioned it was going to be curb less driveway going in but it looks like there's an apron of stone that goes around the edge of it up to around the corner of the catch basin is up to the elbow.

Mr. Ducsay said correct – there is a stone strip designed to prevent some unraveling of the pavement and things of that sort so there is a stone strip designed (shown on the plan).

Mr. Ducsay said just to touch on his last comment – there is a section of curbing here and that's located from pretty much the high point (shown on the plan) around this corner and the reason is like he said before we need to collect this drainage in back here and we can't get it to sheet flow to the basin so the curbing that runs around this corner here (shown on the plan) is designed to pick up this flow in the driveway and he believed there was a low point so there's an inlet that connects to the basin so there is a small section of curbing here on the low side so we can pick up the drainage before it just sheet flows directly into the wetland.

Mr. Ducsay said he believed that covers most of the information he has. He said if any other Commission members have any questions he'd be happy to try to address them.

Mr. Ducsay said he wanted to provide to staff for the record evidence of the certified mailing the notification to the RWA.

Chairman de Jongh asked if he was waiting to hear back from other agencies as to what their comments are.

Mr. Ducsay said at this point, we've heard back from Engineering; he said he believed Engineering had no concerns regarding the environmental impacts of this plan; they did bring up the fact that they would like to see a catch basin at the low pointing front and they recognize that this is designed for sheet flow to the basin but under snowing and ice conditions you may get a buildup of snow of ice along the southern edge here of this drive which would create a bunch of ponding in the low point so to alleviate that they've requested that we site a curb less catch basin at that location so that in snow conditions that drainage that if its impeded by a wall of snow it could get picked up in pipe two.

Dr. Dimmick asked if they needed anything from ZBA that this was considered a non-conforming property to begin with.

Mr. Ducsay said there's no need – we are not increasing any non-conforming so he didn't believe there's any need to apply to ZBA for any variances on this property.

Chairman de Jongh asked if there were any agencies he was waiting to hear from.

Mr. Ducsay said in terms of local approval we do have a pending Planning application which will be going to public hearing given the fact that this applicant conducts a non-residential use in a residential zone; there will be a public hearing for that which he believed was scheduled for 2 weeks from yesterday so there is a Planning and Zoning public hearing given the fact that the use is non-residential in a residential zone.

Chairman de Jongh asked if they heard back from RWA.

Mr. Ducsay said he had not received any comments from Ron Walters at RWA; he is not sure if staff has and he was just not cc'd on it.

Ms. Simone stated they have not received any comments yet.

Mr. Ducsay said he does know that Ron has the plans because he did send me an email that he has them but he has not seen any comments out of his office as of yet.

Ms. Dunne asked Suzanne if she could just elaborate a little bit on her staff analysis when she talked about the reduction of the upland review area.

Ms. Simone explained that looking at the aerial photograph where it shows the upland review area dashed line – that's approximately 200 LF where they are showing impact and they upland review area is reduced to as little as 5' in the area where the discharge is – as pointed out on the plan – she noted the location of the actual wetland boundary and they are proposing to discharge within 5' of the wetland boundary.

Ms. Simone stated that the storm water detention basin does not exist – they are proposing it.

Dr. Dimmick asked what the nature of the end of the discharge point – is it rip rap.

Mr. Ducsay said ye s- it's a plunge pool and a rip rap splash pad.

Mr. Ducsay showed on the plan the location of the area being discussed. He showed the location of the outlet, the low point, the area being piped, the plunge pool location and basin and area of

discharge. He talked about the placement of the outlet structure and the reasons for the placement location.

Mr. Ducsay said the plunge pool is approximately 5' from the edge of the wetlands; that discharge pipe is a one point 92%.

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

Dr. Dimmick stated he was happy with what we've got – he said we've got enough material here that we could ask staff to proceed,

Chairman de Jongh said he didn't know what kind of comments they were going to get from RWA or anyone else – hopefully they'll get some kind of response before the next meeting.

Chairman de Jongh said that he thought it would be prudent to go ahead and craft whatever wording would be necessary and all of our concerns and questions that we had have been addressed this evening.

Dr. Dimmick said if anything comes from the water authority that needs a modification we can do that as needed. He said he has no problems with the whole thing.

Chairman de Jongh said he thinks they have all the information needed and thought they could take care of this at the next meeting unless we hear something from the other agencies that warrants something else.

2. **Bond Release Request** **APP 2015-013B**
Bryan and Lama Alloush Zerhusen
10 Prinz Court

Ms. Simone said this property received a permit that allowed them to remove the retaining wall and the Commission had required that they post a bond for erosion controls in that area. She stated the work is done; the grass is now established and they are requesting the return of their bond.

Motion:

That the Cheshire Inland Wetlands and Watercourses Commission has considered the request for bond release by Bryan Zerhusen for sedimentation and erosion control bond stipulated as part of CIWWC Permit #2015-013B, and finds the following:

That staff has inspected the area and verifies that all areas are generally stabilized and all conditions of the permit grant have been generally met.

Therefore, the Commission grants the bond release request by the applicant for the sedimentation and erosion control bond.

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

XI. ADJOURNMENT

The meeting was adjourned at 7:57 p.m. by the consensus of Commission members present.

Respectfully submitted:

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