Members present: Robert de Jongh, Charles Dimmick, Kerrie Dunne, Sheila Fiordelisi, Earl Kurtz, and Matt Bowman.

Staff Present: Suzanne Simone.

Ms. Fiordelisi served as secretary pro-tem due to Mr. Alderton's resignation.

I. CALL TO ORDER

Chairman de Jongh called the meeting to order at 7:33 p.m.

II. PLEDGE OF ALLEGIANCE

The pledge of allegiance was recited.

III. ROLL CALL

Members present: Robert de Jongh, Charles Dimmick, Kerrie Dunne, Sheila Fiordelisi, Earl Kurtz, and Matt Bowman.

IV. DETERMINATION OF QUORUM

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

V. BUSINESS

Ms. Fiordelisi read the legal call to open the public hearing on the following items:

1. PA 09-181
   Proposed amendments to regulations

Chairman de Jongh informed the Commission that the first item of the public hearing is a change to their regulations. He said he believed this was public information.
Ms. Simone stated that the proposed is a change to a public act. She explained that details were provided at Town Hall as well as other areas that were listed in call for the public hearing.

Ms. Simone said the Town Attorney did submit a document to the Wetlands Commission dated May 5, 2010 with recommendations on how to proceed to incorporate the changes in the public act into the regulations.

Ms. Simone stated that Commission members were provided with a draft copy of what staff put together – she explained the yellow highlighted portions are the change in the text and this is compliant with what the Town Attorney had suggested.

Ms. Simone explained that item “A” has addition of one sentence and the entire section of “D” has been added.

Chairman de Jongh read into the record the proposed text changes:

Section 11.3 – “Except as set forth in Section D, below...the Connecticut General Statutes...”

Section D – Notwithstanding the foregoing, any permit issued pursuant to these regulations during the period from July 1, 2006 to July 1, 2009, inclusive, shall expire not less than six years after the date of such approval. Any such permits shall be renewed upon request of the permit holder unless the agency finds that there has been a substantial change in circumstances that requires a new permit application or an enforcement action has been undertaken with regard to the regulated activity for which the permit was issued, provided no such permit shall be valid for more than eleven years.”

Chairman de Jongh stated that these were the only two changes that are recommended to be incorporated into the Commission’s regulations.

Ms. Dunne asked if items 1-5 under “D” are already in the Commission’s regulations.

Ms. Simone stated that they were.

There were no other questions or comments from staff, the Commission, or the public.
Chairman de Jongh closed this portion of the public hearing at 7:37 p.m.

2. Permit Application

<table>
<thead>
<tr>
<th>APP</th>
<th>#2010-010</th>
</tr>
</thead>
<tbody>
<tr>
<td>DOR</td>
<td>5/18/10</td>
</tr>
<tr>
<td>PH</td>
<td>6/01/10</td>
</tr>
<tr>
<td>MAD</td>
<td>7/06/10</td>
</tr>
</tbody>
</table>

Mr. Michael Joyce, PE and Matt Sanford, Soil Scientist, and Wetland Scientist from Milone and MacBroom were present on behalf of the applicant.

Mr. Joyce addressed the Commission.

Mr. Joyce explained that he was before the Commission tonight to present the regulatory drawings for the replacement of Cheshire Academy’s track and football field.

Mr. Joyce said that Cheshire Academy is looking to replace its field and track surface for two reasons; one reason is to be more competitive with other schools - the current field and track are outdated for competitive play and secondly the field is being constructed in memory of a former student who passed away a couple years ago after a tragic car accident.

Mr. Joyce stated that the new field will be known as the Armando Somoza Field.

Mr. Joyce said for orientation – the existing track and field is located in the northern section in the heart of Cheshire Academy’s campus; he showed the Commission the existing conditions map – he explained that off the page is Route 10; north is straight up and to the east is the Honey Pot Brook Valley and to the south of the track is the heart and the building campus and the developed portion of Cheshire Academy’s campus.

Mr. Joyce said in looking at several different alternatives Cheshire Academy choose to reconstruct the field in approximately its current location. He said this decision was made in conjunction with a master planning effort for a new field house and athletic student center facility that would be constructed adjacent to the new field.
Mr. Joyce said that Cheshire Academy in trying to compete with some of the other preparatory schools in the area had pursued the replacement of the track which is currently a stone dust cinder track and existing natural turf field with a new synthetic turf and an all weather track surface for a couple of reasons.

Mr. Joyce explained that while Cheshire Academy is a large campus has some limited playing field space on campus and they have to rotate quite a few sports in and off the field and the field has received quite a bit of abuse over the years – especially during the seasons.

Mr. Joyce said just to the north of the existing field today is a narrow wetland and watercourse corridor that runs in between the existing field and Cheshire Hillside Village which is immediate to the north. He explained that this watercourse and wetland area is fed primarily by the discharge from the DOT drainage system coming off the intersection of Route 10, Route 68, Main Street and Highland Avenue; he said that discharges to the west of the project area through a swale that comes down through a very narrow band – he said if Commission members were out at the sight they could see a small pedestrian bridge that the residents from Cheshire Hillside Village use to come back and forth to make sure of the track currently today.

Mr. Joyce explained that watercourse runs down to the east and hooks up with the Honey Pot Brook watershed and watercourse down below near the pond on campus that then flows north.

Mr. Joyce said from the renderings the location of the track has been keep approximately the same – they have to do some relocation of the existing driveway to accommodate a new feature to the track which is now in a eight lane straight sections. He said the new facility will have the ability to host not only soccer and football but also field hockey and lacrosse – four different sports and also the competitive track events with the eight lanes straight.

Mr. Joyce explained that the design of the field again has kept the orientation approximately the same to plan for the future building. He said the plan is to also create some natural terrace areas in the interim before bleachers and formal seating is constructed as part of the new building project.

Mr. Joyce showed the proposed location of the natural terrace areas approximately centered on the 50-yard line on the field and then on the western end of the field.
Mr. Joyce said the track on the eastern end is supported by a retaining wall to keep them away from the existing driveway that goes to the back area to keep them out of the upland review area that is associated with the watercourse located down in the ravine.

Mr. Joyce explained that the project under its current design proposes three different regulated activities.

Mr. Joyce explained that early on in this process they met with town staff to discuss and review the conditions. He explained they dug some test pits on the project to identify the soil conditions under the field and found some shallow ground water results; he said there are actually some locations on the property where the watercourse at the drainage discharge actually flows on to the track.

Mr. Joyce explained to Commission members that if they had ever been on to the track during wet conditions they would have seen some ponding – the track under wet conditions looks more like a steeple chase run than an actual running track at times.

Mr. Joyce said Matt Sanford from their office would explain to the Commission some of the regulatory activities and some of the mitigation efforts; he said they met with Suzanne Simone and walked the site and identified some areas that Ms. Simone was concerned about - areas that staff said she would like to see mitigated during the project.

Mr. Joyce stated the other areas are located up to the north and west and then along a section of watercourse noted on the plans.

Mr. Joyce explained a one point they discussed piping the watercourse as a means to pull the water away from the track area. He said in an effort to avoid working on the slope that is located to the north of the field – there is a very steep slope, they have shifted the track away from the slope so they can work away from the slope and not disturb the slope and stay away from the area together not worrying about how to maintain it, how do they stabilize it – he stated the area would be protected and preserved, the area would be replanted as part of the planting plan on the top side to prevent any activity down the hill.

Mr. Joyce said the drainage design for campus for the new track and field has been designed to mitigate any increase in run-off; he said it’s a fairly complicated system of track drains and edge drains under drains under the field that collects the storm water that falls on the
field and directs the water from the track to an edge drain collects it in the system.  
Mr. Joyce showed on the plans the locations the water discharges including some that discharges to a detention basin that needs to mitigate the increase in runoff. He explained that this has also been chosen this as a location for the drainage discharge due to its flatter topography.

Mr. Joyce said if Commission members have been out to the field, as you work your way to the north east corner of the existing track you would notice there is an existing path that works its way down to the lower portion of the campus; he explained that area is much flatter than the area to the west where the current drainage pipes are located.

Mr. Joyce explained that both of the discharge locations are unstable; the pipes at the end have actually fallen off a little bit – he said they do not want to encourage discharge to that slope in the future so they are discharging first into the detention basin through an outlet control structure and then that discharges to a row of concrete galleys which are infiltrator galleys and then with the top row of the infiltrators exposed – the sheet flow high level over flows into the condition.

Mr. Joyce said they are moving two point discharges that currently exist today and providing a more stable discharge location; he said under most events there will be very little discharge coming out of this area – it will be the larger events that will need that overflow – it will be much gentler more cascading flow than the current dis-point discharge.

Mr. Joyce informed the Commission that at this point, he wanted to introduce Matt Sanford from their office to describe the existing conditions and the different mitigation measures they are proposing.

Matt Sanford, professional certified soil scientist and professional wetland scientist with Milone and MacBroom addressed the Commission.

Mr. Sanford stated that the wetland area Mr. Joyce talked about was flagged in April 2010; the area is highlighted in red on the plans – he explained it was a small pocket of wetland and a watercourse.

Mr. Sanford said according to NSCR soil survey maps there is a fill area over the entire section of the northern portion of the property.
He said when they went out there they did find a watercourse and an aquanaut soil.

Mr. Sanford showed on the plans the location of the wetlands and the location of ground water breakout; he said there are two hydrologic sources to the wetland system itself.

Mr. Sanford showed on the plans the location of the forested wetland; he said it was a heavily degraded wetland. He said there is a large sediment deposition and a lot of invasive species; Multi-flora and Bittersweet choking the trees; Japanese Barberry, Tree of Heaven, so there is a whole host of invasive species in this particular wetland.

Mr. Sanford said in terms of functions and values, it provides ground water discharge. He said what limited wildlife habitat given the urbanized nature around the particular wetland and it provides some sediment storage or sediment retention because it is accumulating the sediment from the outfall.

Mr. Sanford said as you move eastward along the watercourse – it’s a very narrow watercourse – it’s a seasonal watercourse. He said actually when he and staff visited the site – a segment of the watercourse was actually dry but if you actually went down to wetland flag 21 they saw the ground water breaking out again.

Mr. Sanford showed on the plans the location of the ground water break out near the wetland; he said it actually infiltrates into the soil and breaks out again. He said this section of intermittent watercourses that were flagged and conveys stormwater flows and high flows during storm water events; the ground water passes underneath the watercourse underneath a section of channel until it finds the elevation it needs to break out again.

Mr. Sanford said the watercourse meanders eastward eventually discharging to Honey Pot Brook.

Mr. Sanford said in terms of functions and values for the watercourse – there is a through flow of water from the wetland to Honey Pot Brook; there isn’t any aquatic habitat in the intermittent watercourse itself; that area is lined with Multi-flora Rose and Bittersweet and Japanese Barberry along the intermittent watercourse.

Mr. Sanford said in terms of impacts there are three regulated activities with the first one being 1,250 square feet and that has to do
with creating or lining the existing channel with rip-rap. He described the current condition of the area and noted the existing rip-rap has been moved downstream because it was not sized appropriately.

Mr. Sanford said they are proposing to create a natural plunge pool – because at the outfall there is no plunge pool. He said what was serving as a plunge pool was the wetland system; he said the sediment is now going to accumulate in a plunge pool (shown on the plans).

Mr. Sanford said there is a chain link fence located in the field that runs along the AT&T property and Cheshire Academy – he explained that up against the fence there is a lot of debris – woody debris, a lot of leaves, a lot of garbage in that area. He said what happens is the watercourse comes down out of that pipe and it actually fans stands out in that areas and because of all the debris that clogs next to the chain link fence it almost becomes braided in that area.

Mr. Sanford said what they are proposing to do is to reroute or realign the particular channel in a more stabilize manner than what is currently out there – he said the channel is actually going to be pulled on to all of Cheshire Academy’s side of the property and will be stabilized with rip rap before getting into the wetland system so that is part of the 1,250 SF of impact.

Mr. Sanford said in addition to that the removal of all the invasive species in that area as well and replanting of native vegetation as specified on the plans and in their mitigation report.

Mr. Sanford said the second impact is 1,100 SQ and that has to do with the sediment accumulation area and in that area the proposal is to remove the sediment that has accumulated down to the natural organic wetland soil that is there currently and there will be some reseeding with New England wet mix; in addition to that the proposal calls for the installation of native shrubs going in and around this particular wetland – all the invasives that are in there are being pulled out by hand and mechanically in this particular area; so that is part of the impact and part of the mitigation area.

Mr. Sanford said the last impact, impact number three which is approximately 1,900 SF and that has to do with the realigning of the intermittent watercourse. He said there will be some rip rap placed and also some North American Green Blanket – that area will be vegetated and restored back to a condition that is stable and again
allowing through flow of water during storm events and hopefully they'll pick up ground water that currently infiltrates underneath the intermittent watercourse.

Mr. Sanford said in addition to that there are regulated activities in the upland review area highlighted in green on the plans. He said there is a new outflow proposed with a rip rap plunge pool.

Mr. Sanford said they plan is to remove some dead trees and limb up some of the Red Maples that are along the existing track is now; those are going to be removed and replanted with a new Arbitrates screen as shown on the plan.

Mr. Sanford said lastly as part of the storm water management basin they have proposed a level spreader to discharge the water in a manner that won’t erode the down stream bank – the spread will spread out the water to make more of a sheet flow condition in this area.

Mr. Sanford said in his opinion he thought the plan was a marked improvement over the existing conditions - he said they are going to restore the wetland to a more natural condition.

Mr. Sanford said Ms. Simone asked for an invasive species management plan – that was included as part of the packet the Commission received. He said the plan is actually for the campus to actually utilize in the future down the road for planning for an invasive species management on the campus itself not just on this particular project; obliviously they are going to be implementing it right now on this particular project but in the future if they find and want to remove Multi-flora Rose and other invasives in and around campus they have the methods and approvals and the management strategy to do that.

Mr. Joyce said just to recap – based on Mr. Sanford’s discussion on the upland review area – most of the track or a good portion of the track is in upland review area today – they are not encroaching any closer with new improvements to the wetlands or the regulated area – a lot of the proposed activity will occur in an area that has already been disturbed.

Mr. Joyce said that summarizes the presentation this evening. He said he could be happy to answer questions from Commission members or the public at this time.
Dr. Dimmick said he had a question that is not exactly wetlands related but it is water related – he said looking at the retaining that they are proposing on the east side – and they have the pipe carrying the water to the detention basin immediately inside that – it looks like 6’ to 8’ above the bottom of the wall – he said it has been his experience in a couple of cases that running along the outside of such a pipe in the trench you quite often have enough water coming down that you didn’t intend to come down outside the pipe that it could under mind that retaining wall if you don’t take precautions to prevent that – he said he has seen this happen.

Mr. Joyce said the design of the wall will also have its own under drainage characteristics piping system below it as part of the impervious structure backfill, behind the wall they’ll have a drainage system to collect the water and pull it away.

Mr. Joyce said that soil borings have also been conducted on the site; there is fill going in but the wall itself – it is going to be sitting on top of existing sandstone that’s out there. The borings indicate the footings will be on a harder surface than a field condition.

Dr. Dimmick said as long as they have something designed to carry away the water because you don’t want water to build up behind it and undermine it.

Mr. Joyce said they have actually spent quite a bit of time focusing on the details for that as a synthetic field and all weather track surface – it really can’t tolerate any settlement under the surface – he said they don’t want to have to come back and reconstruct the track or field again; the area has very low tolerances and a very detailed elevation grading elevation plan so the last thing they want to do is to have a situation where there is settlement.

Mr. Joyce explained that today you can handle settlement under a natural track and in areas you can deal with it a little bit better – but with a structured system like it is something they can handle and they are putting design parameters in place to kept the issue Dr. Dimmick commented about from happening.

Chairman de Jongh said when they went out on the sire visit and walking along the northern section – there is a significant drop-off from the level of the track – he said they are talking about taking out all the invasive species along that and a conversation they had on the site visit was what kind of measures are going to be taken to protect the bank from being eroded away if all the invasive species
are going to be removed. He said he did not know if that was going to impact the integrity of the side bank but it’s pretty steep.

Mr. Joyce said as indicated before it is a little difficult to tell since they are so close to the existing foot print but they are a little more than walk the track width away from the line with a new edge of track; so they are creating a flatter shelf against the existing area.

Mr. Joyce said the species that they are looking to remove is the hedge row, the Hemlock or Hue row that right now encroaches right against the edge of the track – so you can’t run in the outer lane – that is the top level they are going to take off from up there. As you work down the bank he said he did not think anything was proposed down the steep portion of the bank. He explained that physical improvements are proposed in certain areas – they are planning on taking the slope out, reconstructing the channel within the limits of disturbance.

Mr. Joyce talked about the channel area that is proposed to be reconstructed – he said the bridge will be increased to 3’ wide to make it a more stable flatter channel as it comes to the area and in that effort they plan on removing the invasive species. He said if was further down the hill near the 50 yard line that they are going to stay away from.

Chairman de Jongh commented about the crossing bridge over to Hillside Village – he said personally he would not want to go across that bridge – it doesn’t look very stable.

Mr. Joyce said the bridge is proposed to be replaced.

Chairman de Jongh said this is not a wetlands commission issue but is there going to handicap access – if the bridge is going to be replaced.

Mr. Joyce said that Cheshire Academy has met with Cheshire Hillside Village – and they have asked for a new bridge as part of the corporative discussion, if that leads to handicap accessibility possible but they have to keep in mind that getting to that location is would also have to be handicap accessible. He said the point is understood and the need to have access for everyone.

Mr. Joyce assured Chairman de Jongh that the bridge would be replaced – it cannot stay under its current conditions.
Chairman de Jongh asked about the location of the detention basin that goes out to the tennis courts – is the walking path out to the tennis courts going to remain.

Mr. Joyce said the applicant has used that over the years for different purposes but to his understanding they are not looking to continue that – there’s the ability for that to be rerouted around; he stated that foot traffic will not be encouraged in this after (it is located around the score board area). He said the area is question will not attract foot traffic or running events through it; the whole bottom of the basin is a wet bottom basin and water quality features are proposed including a wetland seed mix and then a conservation and wetland mix along the banks to create more of a natural basin opposed to just a depression in the hill.

Chairman de Jongh said the last question had to do with the maintenance schedule for the plunge pool in the area where a lot of sediment comes down from Route 10 and collects in that area – was there a maintenance schedule submitted as part of the written documentation the Commission received, if not, is one available.

Mr. Joyce said provided information regarding the maintenance schedule for the plunge pool – the accumulated sediment will be removed; he said the Academy would be agreeable to a yearly maintenance or any kind of schedule the Commission feels appropriate.

Mr. Joyce said the applicant has actually approached the State for their responsibilities for discharging sediment to the location in question; back when a previous application was submitted for three independent faculty houses units up against Route 10 – the State DOT’s response was – we have a right to drain, we don’t exceed the number of catch basins that DOT says we have to provide a water quality feature for; he said that was basically the State’s answer to providing for a water quality treatment.

Chairman de Jongh said he understood where Mr. Joyce was going with whose responsibility is it but at the end of the day is that schedule is not on as top as the applicant’s is.

Mr. Bowman said we are not trying to put something on top of Cheshire Academy that is not their responsibility.

Chairman de Jongh said no – he just wanted to know if there was a maintenance plan in place.
Mr. Joyce stated the provisions are in place. He said the big thing is access to the plunge pool is much easier than the current location of the wetlands never mind the fact it is in the wetlands.

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

Ms. Simone said there was a discussion at a previous meeting about keeping fill on site – she asked if Mr. Joyce would clarify where that would be just to make sure it is outside the wetland area.

Mr. Joyce said on the sediment and erosion control plan (plan E-C); in an effort to reduce any material or minimize the amount of material that has to come off the property; during an earlier construction project, Mr. Sanford during the project went out and flagged the wetlands to identify if there were any inland wetland soils – it was identified there weren’t any in this area – they are immediately south of the existing tennis courts in the back portion of the campus.

Mr. Joyce said if the Commission recalled, a couple of years ago the applicant came in for a septic system repair - he said the same access route would be used to temporarily stock pile materials until such time they could come in a feather it out into a potential practice area; he said the applicant does not have the budget to do the extra work to prepare a practice right now but this area is another area of campus that the applicant is looking at to provide another athletic field in the future.

Mr. Joyce stated the total area of disturbance including the future practice area - is 6.4 acres of disturbance for the whole project. He explained that the referral has been submitted to the Regional Water Authority. He said he believed the Commission received correspondence from RWA from them on that; the project is right on the line between in and out of their watershed area; he showed on the plans the location of the watershed line.

Mr. Joyce stated he believed the response back from RWA was the applicant’s proposed project is not within the watershed.

There were no other questions from the Commission or staff. There were no questions or comments from members of the public.

This portion of the public hearing was closed at 8:04 p.m.
VI. ADJOURNMENT

The public hearing portion of tonight’s meeting was adjourned at 8:04 p.m. by the consensus of Commission members present.

Respectfully submitted:

Carla Mills, Recording Secretary
Cheshire Inland Wetland and Watercourse Commission