Members present: Charles Dimmick, Matt Bowman, Kerrie Dunne, Earl Kurtz, Sheila Fiordelisi, and Peter Talbot.

Staff: Suzanne Simone.

Dr. Dimmick served as chairman pro-tem in Robert de Jongh’s absence.

I. CALL TO ORDER

Dr. Dimmick called the meeting to order at 8:00 p.m.

II. PLEDGE OF ALLEGIANCE

The pledge of allegiance was recited at the public hearing.

III. ROLL CALL

Ms. Dunne called the role at the public hearing. Members in attendance at the public hearing were still present for the regular meeting.

Members present were Charles Dimmick, Matt Bowman, Kerrie Dunne, Earl Kurtz, Sheila Fiordelisi, and Peter Talbot.

IV. DETERMINATION OF QUORUM

A quorum was determined at the public hearing.

V. APPROVAL OF MINUTES – Public Hearing – July 20, 2010
   Regular Meeting – July 20, 2010

The approval of the minutes was deferred to the end of the meeting by agreement of Commission members present.

VI. COMMUNICATIONS

1. Public Works Drainage Maintenance Notification
Re: Removal of sand from drainage swale on Sandbank Rd.

Ms. Simone reviewed this communication.

Mr. Bowman stated he had some questions regarding Sandbank Road. He asked if he could ask George Noewatne a few questions regarding this project.

Mr. Bowman asked Mr. Noewatne if he could provide a brief description of what the Town is going to do, in front of the Marshall Fisco Building – right by the bus depot.

Mr. Noewatne stated Mr. Bowman was correct – that was the general area. He said that he needed to say in advance he has not been tremendously involved with this particular project so he is at a little bit of a loss to speak about it too much – he said he knows about the project generally.

Mr. Bowman said the only reasons he has questions is because his office happens to be on Sandbank Road and there is standing water there constantly during storms; he said he was just wondering where that water is going to run to when they are done clearing it.

Mr. Bowman said it was not clear if Mr. Noewatne’s predecessor might not have come before the Commission about running storm drainage down Sandbank Road.

Mr. Noewatne stated that was correct.

Mr. Bowman asked if that was a plan the Town still anticipated doing.

Mr. Noewatne stated that is a future project that is going to come before the Commission – mainly to the west of the rise – the high point in Sandbank Road; he explained there was a rise about a third of the way in from Route 10.

Mr. Bowman stated that is where the water is being trapped and that is where the Town is talking about doing some sort of maintenance but the water is still going to be trapped there; he wanted to know if they were going to try to alleviate the standing water that is there during bad storms.
Mr. Noewatne said that definitely is a goal of the project. He said he knew the Town was going to have some conversations with the adjacent property owners – there is some drainage that runs down the Fusco property in that area and discussing with him the possibility of making sure that system is all cleared out and that sort thing just to make sure the water runs from that side – he said he knew on the bus depot side there is an existing swale that has silted in over the years.

Mr. Bowman said then what they are going to try to do is dig down and just open the drainage area – he said it is just sand to help the area drain faster.

Mr. Noewatne agreed and to give it a little bit more area so it doesn’t pool like it does – to try to give it a little bit more length.

Ms. Simone asked if she should be getting more information for the next meeting.

Mr. Bowman said if Mr. Noewatne said all he is going to do is dig out there and create and detention area and drainage area.

Ms. Simone said that they are just going to be removing the road sand and she believed the vactor may be involved in that to suck the sand up.

Mr. Noewatne said that was correct.

Mr. Bowman thanked Mr. Noewatne for the information.

2. Letter to CT DEP Commissioner Ms. Amey Marrella
   Re: Proposed Changes to CIWW Regulations

   Ms. Simone reviewed this communication.

3. Other – none.

VII. INSPECTION REPORTS

1. Written Inspections

   Ms. Simone informed the Commission there were no written inspections.
2. Staff Inspections

Ms. Simone informed the Commission there were no staff inspections.

VIII. ENFORCEMENT ACTIONS

1. Unauthorized Activities in a Regulated Wetland Area
   Ms. Karin Eichten
   630 Cook Hill Road

   Ms. Simone informed the Commission that the Town Attorney has notified staff that there is a date set to continue discussion to finalize the plans for this case. She explained there will be a meeting with the Town Attorney and the judge to finalize the result, fines and the like.

2. Unauthorized Activities in a Regulated Wetland Area
   Mr. Chris Lambert
   Highland Avenue

   Ms. Simone stated there was no action on this item.

   There was some discussion regarding a for sale sign posted on the property.

   Ms. Simone said she did speak to someone about that and she was informed that it’s not property it’s the property behind.

3. Unauthorized Activities in a Regulated Wetland Area
   Michael and Bonnie Donato
   35 Sudol Court

   Ms. Simone said she did speak with Mrs. Donato today and she informed staff that they are meeting with contractors and they hope to start work in the fall and they want to plan everything all at once to the mowing as well as the plantings so they are waiting for the proper season to do that.

4. Unauthorized Activities in a Regulated Wetland Area
   Dr. Robert Henry and Maria Passaro-Henry
   12 Mountaincrest Drive
This item will be addressed under unfinished business.

XI. UNFINISHED BUSINESS

1. Permit Application
   APP     # 2010-015
   Robert Henry
   Mountaincrest Drive
   Upland Restoration
   DOR     7/06/10
   MAD     9/09/10

Dr. Dimmick stated at the last meeting the Commission had asked for more specificity regarding the plan details.

Ms. Simone said they had discussed staff incorporating one of the site plan in the approval so there is a reference that ties it directly to that as well as having area indicated on the site plan as to what species are to be planted there; so it’s not an exact landscaping plan to say that this particular species has to be planted in this exact location but the soil scientist report delineated things in front of the watercourse and behind the watercourse so staff highlighted that on the map.

Mr. Bowman asked about staff wanting the signs to go back up.

Ms. Simone stated yes and that is also indicated on the site plan that is being referenced in the approval.

Mr. Bowman asked if staff was happy with that plan.

Ms. Simone stated yes.

Motion:

That the Cheshire Inland Wetlands and Watercourses Commission, having considered the factors pursuant to Section 10 of the Inland Wetlands and Watercourses Regulations of the Town of Cheshire, Commissioners’ knowledge of the area, previous site visitations, and after review of written information provided by the applicant on this application, finds the following:

1. That this application is for the native planting in the unpermitted disturbed upland area and the reposting of the non-encroachment markers, required in a previous site plan approval #2006-011A.
2. That the proposed modification will not have a significant adverse effect on the adjacent wetlands and watercourses.

Based upon the foregoing findings, the Cheshire Inland Wetland and Watercourses Commission conditionally grants CIWWC Permit Application #2010-017, the permit application of Robert Henry for upland restoration as presented on the plans entitled:

“Wetland Restoration Photolog
12 Mountaincrest Drive, Cheshire, CT.
Prepared by William Root, Milone & MacBroom, Cheshire, CT.”.

And

“Improvement Location Survey
12 Mountaincrest Drive, Cheshire, CT.
Stamped as Received October 26, 2006
Depicting Location of Non-Encroachment Markers and Staff Notation Regarding Location of Areas Described in “Wetland Restoration Photolog”.

The permit is granted on the following conditions and stipulations, each of which the Commission finds to be necessary to protect the wetlands and watercourses of the State and the Town of Cheshire:

1. Any lack of compliance with any condition or stipulation of this permit shall constitute a violation of the Cheshire Inland Wetlands and Watercourses Regulations, and an enforcement order shall be both issued and recorded on the Town of Cheshire Land Records.

2. No changes or modifications may be made to the plans as presented without subsequent review and approval the Cheshire Inland Wetlands and Watercourses Commission.

3. All disturbed areas on the site not directly required for construction activities shall be temporarily seeded and hayed until the site is permanently stabilized.

4. Throughout the course of conducting construction activities covered by this permit grant, and per Section 11.2K of the Cheshire Inland Wetlands and Watercourses Regulations, the applicant shall be responsible for ensuring that all maintenance and refueling of
equipment and vehicles is performed as far as practical from all wetlands and watercourses, at least 100’ if possible. All oil, gasoline, and chemicals needed at the site shall be stored in secondary containment to prevent contamination of any wetlands or watercourses from possible leaks.

5. This permit grant shall expire August 2, 2015.

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

2. Permit Application
   
   Jennifer & David Arcesi
   Nob Hill Road
   Sewer Lateral Installation
   
   APP #2010-017
   DOR 7/06/10
   FT 7/10/10
   PH 7/20/10
   MAD 8/24/10

Chris Juliano, PE and licensed land surveyor with Juliano Associates was present on behalf of the applicant.

Dr. Dimmick stated that the Commission had asked for a few improvements to what had been proposed.

Ms. Simone informed the Commission that staff did receive plans that referenced all of the changes that were discussed at the public hearing.

Mr. Juliano explained at the last meeting the project was presented to connect to the sanitary sewer at the rear part of the property; he said based upon the comments from the Commission and from Town staff they were asked to look at connecting to the sewer manhole from town engineering standpoint which they did and from the Commission they were asked to take a harder look at the erosion control – one of the things was an erosion control blanket and the other was for the back-fill to done in lifts and properly compacted to that extent.

Mr. Juliano said what they did was called out an erosion control blanket – the erosion control blanket they did pick was one that could handle one to one slopes or greater so it’s more than adequate for the slope that they have on this particular property; with respect to the backfill and compaction they have added a note on the plans referring to the Conndot Form 816 which is the construction standard which any contractor who does any type of work is going to know exactly what that means and what he has to do to compact the soil properly to maintain this.
Mr. Juliano said with that he felt the Commission’s concerns raised at the last meeting were addressed; there on the plans specifically called out – he said he told the Commission at the last meeting if there was anything he didn’t do or didn’t go beyond the Commission’s recommendations or specifications he would be happy to make it a condition of approval and hopefully they can move forward to get this approved.

Mr. Bowman said he looked at the length of the sewer; he said the first cleanout from the manhole is over 100’ - he said his recommendation was that he wanted to see one on each edge of the erosion control blanket instead of where the applicant has it now – he said what he would like to see the applicant do is put one at the base of the hill.

Mr. Juliano said what they have done - he showed on the plans the location of the cleanouts – at 0+28, 0+73, one at the top and one at the bottom; so there are shown on the plans.

Dr. Dimmick said he is much more comfortable with this plan then what they had previously.

Mr. Juliano said the four cleanouts are shown on the profile sheet.

Motion:

That the Cheshire Inland Wetlands and Watercourses Commission, having considered the factors pursuant to Section 10 of the Inland Wetlands and Watercourses Regulations of the Town of Cheshire, Commissioners’ knowledge of the area, previous site visitations, and after review of written information provided by the applicant on this application, finds the following:

1. That the current application is for clearing, grading and installation of approximately 360 feet of a PVC sewer lateral.

2. That the applicant’s engineer indicates that approximately 1,275 square feet of wetland soil will be directly impacted by the proposed activity.

3. That the applicant’s engineer agreed to bring in topsoil to be deposited in the exposed lateral trench, and covered with erosion control blankets.
4. That the Commission has determined the activity to not be significant under the context of the Cheshire Inland Wetlands and Watercourses Commission regulations.

Based upon the foregoing findings, the Cheshire Inland Wetland and Watercourses Commission conditionally grants CIWWC Permit Application #2010-017, the permit application of Jennifer & David Arcesi for sewer lateral installation as presented on the plans entitled:

“Improvement Location Survey
Proposed Sanitary Lateral
Land of Jennifer Cetrone Arcesi & David Anthony Arcesi, Trustees
#226 Nob Hill Road, Cheshire, CT.
Dated May 17, 2010, Revised July 21, 2010
3 sheets, Prepared by Juliano Associates, Wallingford, CT.”.

The permit is granted on the following conditions and stipulations, each of which the Commission finds to be necessary to protect the wetlands and watercourses of the State and the Town of Cheshire:

1. Any lack of compliance with any condition or stipulation of this permit shall constitute a violation of the Cheshire Inland Wetlands and Watercourses Regulations, and an enforcement order shall be both issued and recorded on the Town of Cheshire Land Records.

2. No changes or modifications may be made to the plans as presented without subsequent review and approval the Cheshire Inland Wetlands and Watercourses Commission.

3. Prior to the commencement of clearing, grading or any construction activities covered under this permit the applicant shall have the following items both completed by a qualified party and verified as complete by Commission Staff:

   a. The accurate staking or flagging of all clearing limits conducted by a qualified individual. Staff may insist on additional staking or flagging if warranted by field conditions.

   b. The proper installation of all sediment and erosion controls indicated on the above referenced plans. Staff may insist on additional controls if warranted by field conditions.
c. The posting of a sediment and erosion control bond. The amount of the bond shall be determined by Commission Staff.

d. The stocking of excess sediment and erosion controls on site.

e. The 24-hour contact phone number for the individual designated with the responsible and authority to receive notices of any breaches or deficiencies of sediment and erosion controls on-site, and to effectuate repair of any such breaches or deficiencies within 6 (six) hours of such notice from the sedimentation and erosion control agent from the Town of Cheshire.

4. All disturbed areas on the site not directly required for construction activities shall be temporarily seeded and hayed until the site is permanently stabilized.

5. That the work covered under this permit is to be conducted in dry soil conditions, absent of saturated soils or potential threat of storm activity forecasted to produce rainfall of greater than ¼ inch per hour.

6. Throughout the course of conducting construction activities covered by this permit grant, and per Section 11.2K of the Cheshire Inland Wetlands and Watercourses Regulations, the applicant shall be responsible for ensuring that all maintenance and refueling of equipment and vehicles is performed as far as practical from all wetlands and watercourses, at least 100’ if possible. All oil, gasoline, and chemicals needed at the site shall be stored in secondary containment to prevent contamination of any wetlands or watercourses from possible leaks.

7. This permit grant shall expire August 2, 2015.

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

3. Permit Application
   John I. Schieffer, Jr.
   Sindall Road
   Septic Installation
   APP
   DOR
   MAD
   #2010-018
   7/20/10
   9/23/10

Ms. Simone stated there was no additional information requested by the Commission.

Motion:
That the Cheshire Inland Wetlands and Watercourses Commission, having considered the factors pursuant to Section 10 of the Inland Wetlands and Watercourses Regulations of the Town of Cheshire, Commissioners’ knowledge of the area, previous site visitations, and after review of written information provided by the applicant on this application, finds the following:

1. That the current application is for installation of a septic system to be located at 850 Sindall Road.

2. That the applicant provided copies of septic system location approval by Chesprocott.

3. That the topographic site conditions provide a physical barrier between the septic system and the river, as evidenced by the abandoned train bed.

4. That the Commission has determined the activity to not be significant under the context of the Cheshire Inland Wetlands and Watercourses Commission regulations.

Based upon the foregoing findings, the Cheshire Inland Wetlands and Watercourses Commission conditionally grants CIWWC Permit Application #2010-018, the permit application of John Schieffer for septic system installation as presented on the plans entitled:

“850 Sindall Road
Owner: Clifford Parker
Inland Wetlands Commission Application
Prospect Excavating
John L. Schieffer, Jr. and Matt Buonaiuto
12 Pages
Stamped as Received July 15, 2010.”.

The permit is granted on the following conditions and stipulations, each of which the Commission finds to be necessary to protect the wetlands and watercourses of the State and the Town of Cheshire:

1. Any lack of compliance with any condition or stipulation of this permit shall constitute a violation of the Cheshire Inland Wetlands and Watercourses Regulations, and an enforcement order shall be both issued and recorded on the Town of Cheshire Land Records.
2. No changes or modifications may be made to the plans as presented without subsequent review and approval the Cheshire Inland Wetlands and Watercourses Commission.

3. Prior to the commencement of clearing, grading or any construction activities covered under this permit the applicant shall have the following items both completed by a qualified party and verified as complete by Commission Staff:

   a. The accurate staking or flagging of all clearing limits conducted by a qualified individual. Staff may insist on additional staking or flagging if warranted by field conditions.

   b. The proper installation of all sediment and erosion controls indicated on the above referenced plans. Staff may insist on additional controls if warranted by field conditions.

4. All disturbed areas on the site not directly required for construction activities shall be temporarily seeded and hayed until the site is permanently stabilized.

5. Throughout the course of conducting construction activities covered by this permit grant, and per Section 11.2K of the Cheshire Inland Wetlands and Watercourses Regulations, the applicant shall be responsible for ensuring that all maintenance and refueling of equipment and vehicles is performed as far as practical from all wetlands and watercourses, at least 100’ if possible. All oil, gasoline, and chemicals needed at the site shall be stored in secondary containment to prevent contamination of any wetlands or watercourses from possible leaks.

6. This permit grant shall expire August 2, 2015.

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

4. Permit Modification  
   APP #2007-044A  
   Town of Cheshire  
   DOR 7/20/10  
   Schoolhouse Road  
   PH 8/03/10  
   Road Drainage/Endwall Reconstruction  
   MAD 9/07/10  

Dr. Dimmick stated that this item was subject of tonight’s public hearing which has been continued.
Dr. Dimmick stated this item has been set for a public hearing for September 7, 2010.

XII. NEW BUSINESS

1. Permit Application
   Pinnacle Land Development
   Finch Avenue
   Site Plan – House
   APP 2010-021
   DOR 8/03/10
   MAD 10/07/10

Ryan McEvoy, PE of Milone and MacBroom was present on behalf of the applicant.

Mr. McEvoy addressed the Commission.

Mr. McEvoy explained the application is a sight plan application to construct a house, driveway and septic system on a piece of land known as lot two of a subdivision referred to a resubdivision of land of Marta and Bea Farb.

Mr. McEvoy stated the reference subdivision was approved in 2005 by this Commission and others and what they are now proposing is of course one of the conditions of the Commission's approval was to come back for the review of the actual final site plan and location of house, septic and etc.

Mr. McEvoy explained this particular piece of land is show on the upper portion of the map – the lot is accessed to a 50’ easement strip out to Finch Avenue along what is left of the remaining land of Marta Farb and the easement runs along the existing house and barn to the rear of the parcel.

Mr. McEvoy stated the rear parcel has a gentle, fairly mild topography – less than 10% for the most part coming up from the high point in the center heading west and the topography splits to two wetland fingers on the northern and southern portion of the property shown on the plans.
Mr. McEvoy said the north arrow is just for the location map.

There was review and discuss regarding the directional arrows on the map.

Mr. McEvoy said in this case, the applicant has used almost completely the location for the house, driveway and septic as what was originally approved with the 2005 site development plan; the house is facing a different direction then what was originally approved; previously the frontage of the house was facing Finch Avenue and now at the request of the owner have relocated or shifted the house so its facing due south.

Mr. McEvoy said another minor adjustment is that the septic system for the original development plan was designed for a three bedroom house; this septic system has been designed for a four bedroom house – it’s a little bit larger but its within the envelope that was approve in 2005.

Mr. McEvoy stated the only regulated activity associated with the development would be the location and construction of the driveway through the 50’ easement on the south side of existing lot one.

Mr. McEvoy said there will be approximately .1 acres of disturbance; they have proposed silt fence around the entire development portion upslope of the wetland areas.

Mr. McEvoy said the plans were submitted today so he would understand if the Commission did not have a chance to review them.

Mr. McEvoy said he would be happy to answer any questions the Commission might have.

Dr. Dimmick asked if they had on file the original wetlands map with a soil scientist signature.

Mr. McEvoy stated yes – the original map was flagged in 2004; the plans were prepared by Conklin and Soroka.

Dr. Dimmick asked if the driveway location was pretty much the same location as on the original plan.
Mr. McEvoy stated identical. He said he had the approved plans with him if the Commission wanted to see.

Dr. Dimmick reviewed the driveway location on the plan; he said there is an existing stone wall which doesn’t quite follow the wetland line but is relatively close to it.

Mr. McEvoy said there is currently lawn area and a split rail fence they plan on taking down a portion of; the stonewall will not be touched at all. As you get to the rear of the parcel it becomes more wooded.

Motion: To accept the application.

Moved by Mr. Bowman. Seconded by Ms. Fiordelisi. Motion approved unanimously by Commission members present.

Motion: To declare the proposed activity not significant within the context of the Commissions regulations.

Mr. Bowman noted the Commission had been out to the subject area prior and it really hadn’t changed from what the Commission had approved initially; and they are outside the wetlands but inside the review area.

Moved by Mr. Bowman. Seconded by Mr. Talbot. Motion approved unanimously by Commission members present.

Further action on this item was deferred pending staff review and recommendation.

2. Approval of Minutes from the July 20, 2010 Public and Regular Meeting

Motion: To approve the minutes from the July 20, 2010 public hearing and regular meeting with corrections.

Public Hearing - Pg. 1 L26 “receipted” to “recited”; pg 4 L9-10 delete “he said they can do everything they can but a septic system is not fail proof”; pg 4 L17 “there” to “their”, L 38-9 “slue-eway” to “sluiceway”; Pg. 5 L8 “posses” to “encounter”, L21 “power” to “powder”; pg. 5 L12 “Tim” to “Tom”.

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Regular Meeting - Pg. 6 L27-28 “pick up” to “be picked up”; Pg 15 L9 “leeching” to “leaching”; pg. 18 L7 “too” to “to”; pg 22 L14 “are storing” to “they are restoring”.

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

XIII. ADJOURNMENT

The meeting was adjourned at 8:23 p.m. Moved by Mr. Bowman. Seconded by Mr. Kurtz. Motion approved unanimously by Commission members present.

Respectfully submitted:

Carla Mills, Recording Secretary
Cheshire Inland Wetland and Watercourse Commission