

NOTE: These Minutes are subject to Agency approval at next regular meeting.

Chester Inland Wetlands & Watercourses Agency

Regular Meeting, December 1, 2014

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1. Call to Order

The Chester Inland Wetlands & Watercourses Agency held its regular meeting on Monday, December 1, 2014, at the Chester Town Hall, 203 Middlesex Avenue, Chester, Connecticut. In attendance were Al Bisacky, Eric Davison, Christine Darnell and Kim Senay. Anna Sweeney, Wetlands Compliance Officer, was also present. Chairman Bisacky called the meeting to order at 7:30 PM.

2. Minutes – October 6, 2014 Regular Meeting Minutes

Minutes were tabled until next meeting in order to have a quorum of members who attended that meeting.

3. Audience of Citizens – none.

4. Application #14-11 – Motley/Royster, Cedar Lake Road, Map 7, Lot 111, construct single family residence, driveway wetlands crossing and supporting utilities

Roger Nemergut introduced himself as the applicant's representative. Copies of applications were distributed. He noted this is a 6 ½ acre parcel on the northeast side of the road about 1 ¼ mile in from Route 148 and 4/10's of a mile past David Road. The parcel is almost totally surrounded by State Forest property. Mr. Nemergut noted adjacent property on the west is State Forest, north side is the street. The corner piece is privately owned and across the street is a residential building.

Mr. Nemergut noted this property came into this family back in 1965 and has been this configuration since then. The wetlands have been flagged by Richard Snarski (shaded in gray on the plan). He reviewed the flagging on the west side of the wetlands. This was field located by Bill Bergin, Land Surveyor, and the flag locations are accurately represented on the plan.

Mr. Nemergut submitted three certificates of mailing.

Nemergut noted the proposal is to construct a single family residence on the property. He reviewed the limitations on the property including wetlands and two steep slopes and ledge outcrops. He pointed out the limited buildable area. Soil testing has been

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done and will support a septic system for a single family residence. They are proposing to bring driveway in on the east corner of the property. He reviewed the flow of the channel which is subject to intermittent large event flow. This is also the narrowest place to cross and an absence of tree canopy. That area has been cleared of trees where other area is more wooded. The slopes and flat areas were reviewed. The septic would be in the front and the well in the back.

Mr. Nemergut noted the lot can't be built on without avoiding the 100 foot upland review zone. He indicated everything except the driveway crossing is at least 50 feet from the wetlands.

An environmental assessment was done on the property and included with the application. The conclusion was there is no significant impact.

Mr. Nemergut noted the crossing is about 40 feet long. They are installing an 18" pipe and 150 yards of fill material. About a foot and a half will have to be dug out and replaced with a more compact material. It works out to about 3/100's of an acre of wetlands disturbance and about a half acre of upland acre.

Mr. Nemergut noted in terms of mitigation they are proposing along the house where the banks are steeper going down to the higher quality wetlands a double row of flowering Dogwoods. Along the actual crossing on either side of the driveway, they are proposing shrub plantings (High Bush Blueberry). They are proposing to take the drainage from the driveway and put it into two rain gardens on the east side of the driveway. The driveway will be slanted to pitch all runoff to the east away from the wetlands. He pointed out the location of the two rain gardens on the plan.

Mr. Nemergut reviewed the details from Sheet 2 of the plans. The rain gardens will be done under the supervision of a wetlands scientist.

Chairman Bisacky noted there is a swale behind the house on the north side discharging to the west into the proposed mitigation area. He thought there could be a concern concentrating the flow in that area might cause some erosion. He asked if consideration

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had been made to a more stabilized outlet to the swale where it meets up with existing grade. Roger noted that is not shown on the plan, but could do ripraping as well as a level spreader. Another option would be to create a high point and split the flow reducing the volume. Bisacky noted he would hate to see water coming over the driveway and creating an icing problem.

Chairman Bisacky asked if the rain garden on the north side of the wetland could be turned 90 degrees so its more parallel to the contour. That should also be built first for a sediment trap. Roger indicated the notes say the rain garden would be the last thing built for do the first stage which could be used as a sediment basin. Bisacky indicated the more robust the sedimentation control could be would be helpful.

Chairman Bisacky asked if any thought had been given to narrowing up the crossing. Roger noted he didn't think a bridge was warranted here because of the cost and even an open bottom culvert doesn't apply as there isn't the flow that wildlife would take advantage of. There's no defined channel. They could do a 1 on 1 slope and riprap it. There's about a 4 foot fill at the worst case to get cover over and save maybe 4 feet on either side going to a 1 on 1. There could also be a pressure treated retaining wall. Putting in the 1 on 1 could be installed and forgotten about.

Chairman Bisacky noted Agency members will want to take a look at the crossing. It will start snowing soon so members should go as soon as possible. Roger noted he would be happy to meet anyone there. He indicated the wetland flags and test holes are numbered so easy to identify. It was decided everyone would visit the site on their own. Roger noted the property is across from 99 Cedar Lake Road.

Eric Davison reviewed the flagging numbers. Roger noted he will flag the center line of the driveway. Eric also requested a summary letter for the file from Richard Snarski regarding the flagging. Eric noted there is no other way to access the property other than the crossing but mitigation was lacking. Plantings were not satisfactory mitigation options for him. He would like to see something regarding appropriate mitigation options in terms of restoration or enhancement. He would also like to be sure the driveway is not being put over a vernal pool.

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Eric Davison noted he would like to see more detail on the rain garden sizing, design and planted appropriately.

Chairman Bisacky asked how the water off the roof would be handled. Roger noted either roof leaders or no gutters and a drip edge to a stone perimeter around the house. He asked if there was a typical way of treating house roof runoff. Bisacky noted permitting infiltration is good as opposed to collecting it all in one spot. There was discussion of having a rain garden for the house outside the 50 foot area. Bisacky noted if there was a more appropriate way to promote more infiltration and better water quality that could be discussed.

Roger noted the slopes in the back are at 30 to 40%. The house cannot go back. There also are ledge outcroppings.

Roger noted there is a note on the plan regarding the pitch of the driveway. The limit of clearing and silt fence were reviewed. Eric asked if there was any need for an intermediate barrier. Roger noted his opinion was no but if it afforded a comfort level, it would not be a big deal to put it in.

Bisacky asked what the area of disturbance was. Roger noted the upland area and disturbance area is about ½ acre. Bisacky noted the sediment basin should be sized for the disturbed area.

It was noted each member will look at the site individually. Roger will have the site flagged by the weekend.

5. Application #14-12 – Nucci, 35 Airport Industrial Park Road, construct 100' x 70' building

Mr. Nucci was not present. It was noted this is another modification since the last one.

Ms. Sweeney noted the application fees have been paid, but there is no bond in place for planting. It was noted no work has been done. Sweeney indicating they are resizing the building. Bisacky noted the building is surrounded by a gravel surfaced area and limits of

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disturbance are unchanged. Sweeney noted the last building was 50' x 80' and this one is 70' x 100'.

Chairman Bisacky gave a brief summary of the history of this property and the Industrial Park.

Chairman Bisacky noted the final plan would have to incorporate and include all the information from the prior plan (ie. Planting plan, grades, etc.).

6. Continued Show Cause Hearing – DePatie, 42 Ferry Road- Notice of Violation, Disturbance in the Wetlands

Anna Sweeney reported on her site visit today and reviewed photographs. Sizing of the riprap was reviewed. It was noted the riprap was sized by the engineer. It was decided to leave the Order as is until after the Spring. Sweeney noted she would check the site if there are any big storms between now and then. Possible plantings were reviewed.

7. Continued Show Cause Hearing – 46 Deep Hollow LLC, 46 Deep Hollow Road – unpermitted regulated activity

Anna Sweeney noted a report was not received regarding 46 Deep Hollow. Ms. Sweeney will check with the property owner to get an updated reported. It was suggested there be a sitewalk in the Spring.

8. Regulations and Map Modifications

Chairman Bisacky noted the Agency should take advantage of the winter months and light agenda. It was decided to hold a workshop on January 20th. Eric Davison noted he attended a recent CACIWIC meeting and it was noted there should be more language making it clearer for people to understand. Bisacky noted it would also be helpful to have a copy of the Model Regulations from the State. Anna will locate a copy of the Town's regulations and Model Regulations and distribute to everyone by email. There was a brief discussion regulating docks and tidal wetlands. It was noted a new base wetlands map was done a few years ago but never officially adopted by the Agency. Ms. Sweeney will locate a copy of the map.

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9. Wetland Compliance Officer's Report

Ms. Sweeney noted she and Eric met with B&L regarding the water main replacement.

Ms. Sweeney noted the application for 25 Airport Industrial Park has no wetlands disturbance and no activity. Bisacky noted this was looked at the last time because it was in conjunction with the other lot. Ms. Sweeney also noted that proposal was high risk as well and this is a different situation. No application is required at this time.

10. Correspondence – none.

11. Receipt of Applications After Posting of Agenda – none.

12. Any Other Business – none.

13. Adjournment

There being no further business, the meeting adjourned at 8:10 PM.

Respectfully submitted,

A handwritten signature in cursive script that reads "Judith R. Brown". The signature is written in black ink and is positioned below the text "Respectfully submitted,".

Judith R. Brown, Recording Secretary