

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

Chester Inland Wetlands & Watercourses Agency  
Regular Meeting, July 7, 2014  
Page 1 of 6

1. Call to Order

The Chester Inland Wetlands & Watercourses Agency held its regular meeting on Monday, July 7, 2014, at the Chester Town Hall, 203 Middlesex Avenue, Chester, Connecticut. In attendance were Al Bisacky, Kim Senay, Eric Davison and Christine Darnell. Anna Sweeney, WCO, was also present. Chairman Bisacky called the meeting to order at 7:00 PM.

2. Minutes - June 2, 2014

**Motion by Darnell, second by Davison, to approve June 2, 2014**  
Minutes as written. Unanimously approved. Motion Carried.

3. Audience of Citizens - none.

4. Application #14-6 - Town of Chester - Main Street (East)  
Improvements

It is noted for the record Chairman Bisacky recused himself for this application. Kim Senay will be Acting Chairman for this Agenda Item.

First Selectman Meehan presented the application and gave a status report. He noted a previous application had been submitted, but withdrawn in view of the fact more work needed to be done on the plans. Meehan noted it had been decided to realign a section of Main Street from the Post Office to Laurel Hill Cemetery and raise the grade which would affect drainage and the culvert. The realignment and culvert repair would provide safe on street parking and drainage grading which was also needed.

First Selectman Meehan noted the Main Street Project Committee recommended an alignment change and the Board of Selectmen voted to accept the recommendation on May 7<sup>th</sup>. At that time the engineer was instructed to revise the plans which are not at 100%, but probably 40 to 50% design phase. The grading, which is critical in this area, still needs to be represented on the plans.

First Selectman Meehan reviewed drainage issues in Laurel Hill Cemetery and what the proposal is to correct those issues. He reviewed parking spaces, grading, curbing and lighting.

First Selectman Meehan reviewed erosion control in the area as well as construction details.

Acting Chair Senay noted there were no proposed alternatives. Eric

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

Chester Inland Wetlands & Watercourses Agency  
Regular Meeting, July 7, 2014  
Page 2 of 6

Davison noted perhaps the original plan could be considered to have been an alternative. These are revised plans.

Eric Davison briefly reviewed the outlet at the Cemetery and water quality treatment. He pointed out several areas where details and notes should be put on the plans. He also noted the Cemetery parking lot is highly used and would be a good place for a hydro?? separator.

The letter from the Town Engineer, Jacobson & Associates was reviewed throughout the discussion.

First Selectman Meehan noted he is compiling a list of several things that need revising on the plans. He has asked Stadia Engineering to make these revisions and do a final review with Jeff Jacobson before the August meeting.

Eric Davison felt modifications to the swale were good. There was discussion regarding the reason for curbing in the parking lot. He asked if sheet flow could be maintained without the curbing. Meehan noted there have been historical problems with drainage to abutting property owners.

Replacement of the box culvert was reviewed including the removal process, control of storm water, installing the new box culvert and replacing the walls. It was noted easements will be needed from abutting property owners. There is also some vegetation removal on the Kranyak property. Various driveway areas were reviewed including a storm septon in the vicinity of the Stark Agency. The engineer is working on designing this to see if it is feasible.

First Selectman Meehan noted the plans will be cleaned up and reviewed with Jeff Jacobson by the August meeting. It was noted details of the construction of the culvert channel have been also been added to the plans. The date on the plans will be corrected.

First Selectman Meehan reviewed closure of the road during construction. He indicated the road would not be shut down, but always be available to traffic. Acting Chair Senay asked if time could be saved by closing the road down. Meehan did not have an answer to that question. He felt closing the road could be detrimental on the area and businesses. It would not be one of his alternatives to close the road.

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

Chester Inland Wetlands & Watercourses Agency  
Regular Meeting, July 7, 2014  
Page 3 of 6

The question was asked if DEEP permits were required. First Selectman Meehan noted it was his understanding this project does not rise to the magnitude of a DEEP permit.

Eric Davison raised a question about inconsistency in calculations on the drainage report. Meehan noted he would look into that matter. Eric further noted he did not have an issue with the wetland impacts at any of the locations.

First Selectman Meehan noted he will continue to perfect the plans for the August meeting.

5. Application #14-5 - Cedar Lake Terrace Association, Cedar Lake Road - sand on beach

It was noted for the record Al Bisacky returned to Chair the balance of the meeting.

Chairman Bisacky noted there was a presentation of this application last month. In the meantime the question of where the town gets its sand had been answered. There were no other changes to the application. **Motion by Senay, second by Darnell, to approve the application as presented. Unanimously approved. Motion Carried.**

6. Application #14-7 - Pattaconk Yacht Club, 61 Dock Road - rebuild Club House

Nate Jacobson (past Commodore) introduced himself as the applicant's representative. He noted the PYC Club House recently burned down and they want to replace it. Jacobson explained under Zoning they are allowed to replace to the exact footprint without any problem, but need a wetlands permit first. No other permits are required except a building permit. The old building pre-existed all regulations, nevertheless, the building conforms to all regulations then and now other than the setback to the Connecticut River that was changed back in 2005. They are also in compliance with Health Regulations regarding wastewater disposal and will be in compliance with the new building code.

Mr. Jacobson noted in 1993 they obtained a wetlands permit for a 30' x 32' addition to the building. He reviewed the five (5) proposed dry wells and their locations. They will be occupying the exact same footprint. The old building was located on the highest point of land and outside the 100 year flood zone so they meet flood regulations,

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

Chester Inland Wetlands & Watercourses Agency  
Regular Meeting, July 7, 2014  
Page 4 of 6

zoning and just about everything. All they want to do is replace in kind. They will be using the existing water supply system and existing sewer system. All parking is already provided on site.

Mr. Jacobson noted the only disturbance will be immediately around the perimeter of the old Club House. He reviewed sedimentation and erosion control. They would like to start construction around Labor Day. The target is to be completed by April in time for Commissioning in May. Calculations for storm water have been submitted with the application. Notices of the application were mailed to abutters. Jacobson noted in response to a question about the existing foundation that everything is gone including the foundation.

Chairman Bisacky asked about excavation. Mr. Jacobson noted there would not be much excavation because it has already be done in the removal process. There was discussion regarding a stockpile location. Bisacky noted a written statement as to its location would suffice.

Anna Sweeney noted she spoke to the Zoning Compliance Officer and no further permits or reviews are required from Gateway or Coastal Management as this is to replace in kind.

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

Chairman Bisacky noted he was on vacation at the time of the last meeting where this came before the Agency. Eric Davison noted he reviewed the site with Anna Sweeney. The home is very close to the stream and one could see the flooding problems. A machine operator had laid some boulders and done earth work in the stream. There definitely was sedimentation that went downstream.

Mr. DePatie reviewed photos of flooding noting something has to be done to protect the foundation of the home. Agency members advised Mr. DePatie to hire an engineer to prepare a plan that will work and not make matters worse. Mr. DePatie showed a video of the site. Ms. Sweeney reviewed photos of the work that had been done.

The watercourse area was reviewed. Eric Davison reviewed the armored area. Chairman Bisacky noted this is clearly a wetland and watercourse and needs a permit. Eric Davison noted the property owner was told to stabilize the area and come back with an

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

Chester Inland Wetlands & Watercourses Agency  
Regular Meeting, July 7, 2014  
Page 5 of 6

application.

There was much discussion regarding the stabilization that should be done under an Order and any further work being proposed that should come under an application. Kim Senay noted timing is critical and any work should be done in August. Timing of an application was reviewed. Chairman Bisacky noted restoration should stabilize what is there now.

Gene Robida (Mr. DePatie's engineer) noted the ruts have been filled with 3" process and the riprap appears stable. He reviewed the box culvert area. He also noted they hired a surveyor to do cross sections, but that hasn't been done yet.

Chairman Bisacky reiterated this clearly requires a permit and there could be treble fines for what has been done.

There was discussion as to whether or not a stream channel encroachment permit from the State would be required.

In summary, the area has been stabilized and the Agency didn't think the Order needed to be modified. Ms. Sweeney will take another look at the site. Chairman Bisacky noted it is up to the property owner as to whether or not he wants to submit an application for further work.

There was much discussion regarding remediation work versus submittal of an application and whether or not the two could be combined. Bisacky noted further work would have to be designed by an engineer, remediation work should be done under the Order and anything beyond that would have to be an application.

Chairman Bisacky noted the options at this point are 1) do nothing, 2) remediation and 3) work beyond remediation to protect the house.

Gene Robida noted the intent is to do the work. They will come in with an application and plan as soon as the survey work is done. They will try to separate out the remediation work and any further work.

There was discussion regarding velocity and flow and whether soft engineering would work. Chairman Bisacky noted calculations will have to be done and perhaps a bigger channel is needed.

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

Chester Inland Wetlands & Watercourses Agency  
Regular Meeting, July 7, 2014  
Page 6 of 6

It was decided the Order would remain as is. The property owner will come back in for the August meeting with a plan for remediation.

8. Application - #14-8 - DePatie, 42 Ferry Road - regulated activity  
No application was submitted at this meeting.

9. Continued Show Cause Hearing - 46 Deep Hollow LLC, 46 Deep Hollow Road - unpermitted regulated activity  
Anna Sweeney noted the last report had been submitted. The property owner is currently working in the front field. She reviewed the planting around the major culvert. The report from Army Corps was briefly reviewed.

10. Regulations and Map Modifications  
Nothing further at this time. Chairman Bisacky suggested getting a copy of the Model Regulations and having a working session at one meeting. Eric Davison noted he wouldn't mind working on this on his own, but just not at this time of year.

11. Wetland Compliance Officer Report  
Anna Sweeney briefly reviewed the recent resurfacing of Dock Road. No permit had been taken out for this work. She noted in the past one permit was applied for outlining all the proposed road resurfacing work and suggested this be done in the future.

12. Correspondence - none.

13. Receipt of Application After Posting of Agenda - none.

14. Any Other Business - none.

15. Executive Session - Pending Litigation - nothing further to report.

16. Adjournment  
There being no further business, the meeting adjourned at 8:50 PM.

Respectfully submitted,



Judith R. Brown, Recording Secretary