

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

**Chester Inland Wetlands & Watercourses Agency
Regular Meeting, September 8, 2014
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1. Call to Order

The Chester Inland Wetlands & Watercourses Agency held its regular meeting on Monday, September 8, 2014, at the Chester Town Hall, 203 Middlesex Avenue, Chester, Connecticut. In attendance were Al Bisacky, Sally Sanders, Kim Senay, Eric Davison, Kris Seifert and Christine Darnell. Anna Sweeney, Wetlands Compliance Officer, was also present. Chairman Bisacky called the meeting to order at 7:00 PM.

2. Minutes – August 18, 2014 Special Meeting Minutes

Motion by Darnell, second by Sanders, to approve August 18, 2014 Special Meeting Minutes amended as follows -

- **Under 6. Continued Show Cause Hearing – DePatie, 1st paragraph, 4th sentence should read, “Robida reviewed various items on the site plan including the railroad tracks, the box culvert, location of the bedrock, stone armouring and the stream channel.”**
- **Under 6. Continued Show Cause Hearing – DePatie, 1st paragraph, 5th sentence should read, “He indicated the watershed is about 1.25 square miles.”**
- **Under 14. Any Other Business, it should be noted the product referred to is True Green's Aqua Neat.**

Unanimously approved. Motion Carried.

3. Audience of Citizens – none.

4. Application #14-9 – James Hays, 67 Railroad Avenue – solar installation

James Hays noted they were chosen by CL&P to participate in their solar program to buy back energy credits. They don't have a lot of roof area so will also do full ground mounted poles. He reviewed the number of poles and their location. He noted once a wetlands permit is obtained he will have to apply for a variance from the Zoning Board of Appeals. Mr. Hays noted the poles are 30', 15 feet in the air and 15 feet in the ground. They are pile driven in the ground with an air hammer. There is no excavation. A 4” wide ditch digger will dig the cable trench. There is no water run off. There is a 1” gap between each panel. No clearing is required.

Chairman Bisacky asked the applicant to amend his application to show alternatives considered.

Eric Davison noted he didn't see any problems with the solar installation.

This will be on next month's Agenda.

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5. Application #14-10 – Frederick & Dorene Lewis, 26 Bokum Road – shed installation
Anna Sweeney noted the Lewis' would like to install a 10' x 12' shed but the application they submitted was not complete. She also asked whether an administrative permit could be obtained. The proposed location of the shed was reviewed. Ms. Sweeney noted there are some restraints as far as the location of the well and septic system. The shed is not in the wetlands, but would be in the review area about 18' from the wetlands. It was noted there previously was a shed in that approximate location that had been destroyed by a tree falling on it.

There was discussion as to whether or not an administrative permit would be appropriate. Ms. Sweeney noted the area is all flat, the shed would be on gravel and there would not be much run off from the shed.

It was agreed the applicant would stake out the proposed shed location, notify Ms. Sweeney and do whatever is required to complete the application. This will be on next month's Agenda.

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

Chairman Bisacky noted the Order was modified at the last meeting. He wasn't sure there was any required action on the Order at this time. Ms. Sweeney noted she visited the site and there was no further disturbance.

7. Application #14-8 – DePatie, 42 Ferry Road – regulated activity

Chairman Bisacky noted this application was discussed last month. Gene Robida noted the application had been revised to include the storage shed. At the last meeting, it was suggested to put 3 feet of gravel around the shed perimeter. Grading was shown to be on the uphill side. The extent of erosion control to the limits of grading was shown. The shed will be 12' x 16'.

Mr. Robida reviewed the General Notes pertaining to different areas of seeding. He also reviewed the 2 ½' elevation change. Cross Section A and the Construction Sequence were reviewed.

Mr. Robida noted they visited the site today and there was no water at all in the channel. This was a good time to get the work done. He estimated the work would take no more than a couple of days.

There was discussion regarding the rip rap and excavated material. Mr. Robida noted the rip rap was 3 feet thick. There was much discussion as to the amount of excavated material and whether or not the excavated material would be removed from the site or deposited elsewhere on site. Mr. DePatie reviewed other low areas on the property where the material could be

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placed and graded off. He didn't see why the material had to be removed from the site.

There was discussion as to how much rip rap would be needed. Eric Davison noted the bank would be contoured to set the rip rap in.

Anna Sweeney briefly reviewed the work that had previously been done without a permit.

Mr. Robida noted he was not opposed to taking the excavated material off site. They don't want to raise the grade around the house or fill in the flood plain.

Mr. Robida reiterated now is the ideal time to do this work.

Motion by Sanders, second by Darnell, to approve Application #14-8 DePatie with the condition that all excavated material be removed off site. Discussion followed. Mr. Robida noted any excess material that doesn't meet the grades could be removed. Chairman Bisacky noted there are no grades on the plan and no areas shown where material will be deposited or stockpiled. Eric Davison pointed out filling in a wetland area is a separate activity that is not shown on the plan and every place where the material would be deposited is either in a wetland or the review area. Chairman Bisacky noted the wetland line from the old plan should be shown on the new plan as its not part of the application at this point. Mr. Robida noted he could not use the wetland's line from someone else's plan. It would have to be flagged again. Robida reiterated this is a low flow time and now is the time to get this work done. **The above motion was amended by Sanders and seconded by Darnell to read "to approve Application #14-8 DePatie with the condition that all excavated material be removed off site and the requirement to put the wetland's line on this map to be submitted to Ms. Sweeney for the file. Unanimously Approved. Motion Carried.**

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

Anna Sweeney noted she visited the site and took some photos which she reviewed. She will be visiting the site again with Rich Snarski before the next meeting. Various areas of the property were reviewed. She will look at the survival rate of the trees on her next site visit. Ms. Sweeney noted she hasn't heard anything from the owners regarding the farm use application.

9. Pre-Review – Karen Hart, 5 West Main Street – removal of bamboo, tree removal, repair of retaining wall along Pattaconk Brook, regrading and temporary shed

Karen Hart introduced herself as the new owner of this property. Dave VanDyke was also present. Ms. Hart noted she was before the Agency to get some idea as to the rules and process

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required for certain activities. Chairman Bisacky noted any excavation would require a permit. She noted there were 3 trees that needed to come down. Agency members agreed as long as they were just cut and there was no excavation of roots a wetlands permit was not required. Ms. Hart also reviewed the bamboo on the property noting it needs to be cut and thinned out. It would not be excavated or pulled out. She noted the State has new rules about planting and sales of bamboo but nothing about existing bamboo. Agency members again agreed as long as there was no excavation of roots a wetlands permit would not be required.

Ms. Hart noted the property has no storage and she would like to have a shed. The proposed location was reviewed. Chairman Bisacky noted this is all flood plain and one doesn't want to put in any fill because it will raise the flood level somewhere else along the stream. That would also require a DEEP permit. It was noted it is unlikely a shed could be placed in a flood plain. That could create a hazardous situation.

Ms. Hart also noted she would like to install a fence around the two propane tanks.

Mr. VanDyke noted the foundation of the building itself is in good shape.

Ms. Sweeney reviewed the process for obtaining permits for the shed. A wetlands permit would be obtained first and then a variance from the Zoning Board of Appeals if it is determined that a variance is required. Chairman Bisacky reviewed the Inland Wetlands Permit process.

10. Regulations and Map Modifications – nothing further to report.

11. Wetland Compliance Officer's Report

Anna Sweeney, Wetlands Compliance Officer, briefly reviewed activity at 308 West Main which was determined not to be a wetlands matter.

Ms. Sweeney also noted she received an updated map from Pattaconk Yacht Club showing a reduced amount of material being put on the other side of the property.

12. Correspondence – none.

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

14. Any Other Business

Sally Sanders noted the Agency's approval of the Town of Chester Main Street (East) Improvements application last month had conditions that required the project engineer to

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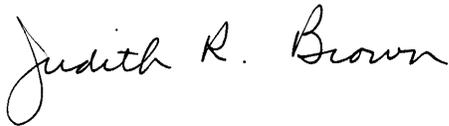
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supply additional information. Ms. Sweeney asked how this should be handled as the application was already approved. Discussion followed regarding the conditions. It was noted the Agency would like the small and large separator units specifications and efficiency. Would the smaller unit be appropriate for this size area and will it provide meaningful water quality treatment. There were also some unanswered questions regarding the swale. Ms. Sweeney will write a letter to First Selectman Meehan requesting a follow up to these things for the next meeting. (It is noted for the record Chairman Bisacky recused himself from this discussion.)

15. Adjournment

**Motion by Sanders, second by Davison, to adjourn at 8:57 PM. Unanimously approved.
Motion Carried.**

Respectfully submitted,

A handwritten signature in cursive script that reads "Judith R. Brown".

Judith R. Brown, Recording Secretary