

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

Chester Inland Wetlands & Watercourses Agency

Regular Meeting, June 5, 2017

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1. Call to Order

The Chester Inland Wetlands & Watercourses Agency held its regular meeting on Monday, June 5, 2017, at the Chester Town Hall, 203 Middlesex Avenue, Chester, Connecticut. In attendance were Al Bisacky, Sally Sanders, Bob Blair, Christine Darnell, Kim Senay and Kris Seifert. Anna Sweeney, Wetlands Compliance Officer, was also present. Chairman Bisacky called the meeting to order at 7:00 PM.

2. Minutes – May 1, 2017

Motion by Blair, second by Darnell, to approve May 1, 2017 Minutes as written. Approved with Sanders, Blair, Senay abstaining.

3. Audience of Citizens – none.

4. Continued Show Cause Hearing – Chester Airport, 61 Winthrop Road – unpermitted activity within review area

Attorney Matt Ranelli from Shipman Goodwin was present on behalf of Whelen Aviation. He introduced Jody Chase, Roger Nemergut and Charlie Greeney. Attorney Ranelli noted they would like to update the Agency on 3 things – erosion control measures that are being maintained, work in the wetlands with the restoration and modifications to the preliminary plan.

Jody Chase noted they finished the restoration work of the upper plateau. They finished the excavation of the fill material, seeded it, done all the plantings in the restoration plan and mulched it. The 1st and 2nd photos show the upper plateau. The 3rd photo shows there is clear water flowing from the lower plateau. There was an old silt fence in the lower plateau. They installed new hay bales and waddles. Those erosion controls were beefed up when Mr. Greeney noted some cloudy water. More waddles were added and new hay bales. Clear water is once again flowing. The 4th photo shows the new hay bales. Photo #5 shows the area of waddles. Photo #6 shows the removal of the stumps.

Attorney Ranelli noted they hired a contractor to remove all the stumps in concert with CT DEEP to a permitted facility in Voluntown.

In summary, Attorney Ranelli noted they have completed all the tasks for the upper plateau and its in good shape. No more work or activity will be in that area.

Attorney Ranelli noted the work in the lower plateau will be done by hand when it dries

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out a little bit. The labor is lined up to do that but it probably won't start until some time in July when conditions are right.

Roger Nemergut reviewed the relocation of the service road taking into consideration all the comments from the last meeting. Mr. Nemergut noted they can take the top of slope and move it away from the service road toward the runway. That would still provide 15 feet from the edge of runway to the top of slope for safety removal of snow. This would allow for moving the toe of the slope to the west in such a way to not have to relocate the service road. It will be regraded and drain toward the west and the runway. This will sheet off on an area between the new toe of slope and the west edge of the service road. That area will have a vegetated swale which goes into a recently improved sediment detention basin. The swale will still be done, the road will be regraded but not relocated. Attorney Ranelli pointed out the service road is there for emergencies and does not have any traffic.

Attorney Ranelli noted some of this is still preliminary as they need to still resolve their issues on the DEEP Notice of Violation. DEEP is currently reviewing the NOV response sent to DEEP in May. We will probably get a response from DEEP some time in July.

Chairman Bisacky asked how the slope would be stabilized. Roger Nemergut noted the areas unshaded will be stabilized with topsoil, seeded and have a cloth medium temporary mulching. The slope will be 2 horizontal to 1 vertical. A couple of areas will be steeper where it was cut back 15 feet. The sediment basin will be protected. It will be covered with a 2" trap rock surface. The north end will be the same as there is a similar situation in that area. Attorney Ranelli noted all the slopes on the other side of the runway are steeper than 2 on 1.

Chairman Bisacky noted this work is within what is required by the Cease & Desist and would not require a permit. Mr. Nemergut noted for clarification they will be regrading some of the service road. Ranelli noted they felt the regrading was all part of getting the drainage to operate properly.

Chairman Bisacky noted the outstanding items – lower plateau (waiting for weather), and approval from DEEP for satisfying their NOV. Attorney Ranelli noted they still need to get approval from the Zoning Compliance Officer indicating compliance with the Zoning Cease & Desist. The ZCO was notified that stumps were removed and will report back to her when more is known about what materials are on site.

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It was agreed this would be on the July Meeting Agenda but there was no need for them to come unless something unforeseen happens. They will report back at the August meeting on the lower plateau and if there is anything further from DEEP.

5. Chester Airport, 61 Winthrop Road – unpermitted activity within review area
Chairman Bisacky noted there was no need to revise the Cease & Desist at this time.

6. #17-01 – David Miller, 105 Cedar Lake Road – addition to residential dwelling
David Miller was present. He noted they finally got the test holes done and the Sanitarian has given approval. The new system will be up the hill from the existing system which is about 46' away from the stream. The new system will have a pump chamber and be higher than the last set of leachings. Mr. Miller reviewed the plan showing the existing and the proposed systems.

Mr. Miller noted the 17' x 24' addition is a slab garage with 2 bedrooms above. This will make this a 3 bedroom house. There will be no gutters, but gravel all around the house and between the two A-frames. Mr. Miller agreed to plant whatever bushes the Agency recommended for a vegetated berm.

Motion by Sanders, second by Darnell, to approve #17-01 Miller with conditions of gravel around the house and a vegetated berm along the stream as indicated on the plan. Unanimously Approved.

7. #17-05 – Peter DePatie, 42 Ferry Road – relocate driveway

Mrs. DePatie was present as her husband had gotten stuck in traffic and wasn't able to attend. Sally Sanders noted the application was received at the last meeting. The applicant was going to stake out the driveway and members would ride by. Chairman Bisacky noted he rode by this evening. It was agreed there should be minimal grass on the downhill side of the driveway.

Motion by Sanders, second by Darnell, to approve #17-05 DePatie with the condition there be minimal grass on the downhill side of the driveway and stabilized. Unanimously Approved.

11. Receipt of Applications After Posting of Agenda

#17-07 Jessica Richardson, 8 Deep Hollow Road – addition to residential dwelling

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John Schroeder was present representing the applicant. Agency members asked what the status was of the bridge project previously approved for this property. Mr. Schroeder stated he did not know but would inquire.

Mr. Schroeder noted this is a proposed 24' x 24' addition just over the line of the review area. Nothing will be done with the driveway. The hillside in the back is all undeveloped. There is a series of existing retaining walls that bring the grade down to the brook level. The runoff from the roof will be taken underground with a rain garden on the first plateau. The stump in the corner will be removed. Chairman Bisacky suggested doing the same with the roof leader off the back of the house.

Mr. Schroeder noted he would stabilize the slope with native wildflowers. The excavated material from the back would be used to fill in a small depression. Two areas of silt fence were located on the plan. Chairman Bisacky suggested putting silt fence on the downhill side of the rain garden.

Mr. Schroeder noted the addition couldn't really go anywhere else due to the slope and existing retaining walls. This is a 2 ½ story addition. The septic system is fine. Work had been done on the system 5 or 6 years ago.

This will be on the Agenda for next month. If members feel the need to see the property, they can ride by on their own.

#17-08 Andrew Drabkin/Deep Hollow Farm, 46 Deep Hollow Road – As of Right Activities
Mr. Drabkin was present and submitted an As of Right application. Also present was Rebecca, Farm Manager. Mr. Drabkin noted this was their planned expansion to move forward with the farm. He indicated most of it was as of right according to the regulations. The viewing platform and the gazebo didn't fall under farm activities. He pointed out the proposed farm stand, hoop houses for vehicle storage, wood storage, greenhouses, tool shed, shade structure and future barns.

Mr. Drabkin explained his proposal in further detail pointing out the greenhouses, the new barn and farmstand, hoop houses for vehicle storage, the wood storage structure, housing and office for farm staff and later on another two barns. He felt all those items were as of right according to the regulations.

Mr. Drabkin noted they applied for 490 status with the town, but the Assessor denied it.

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They appealed it and the Appeals Board approved it. He submitted copies of the Appeal documentation for the file. Chairman Bisacky returned this documentation to Mr. Drabkin noting all the Agency needs is something from the Assessor saying this is a farm.

Mr. Drabkin noted there were two items on the plan that weren't farm use – garden pavilion and viewing platform. Chairman Bisacky noted any structure would require a permit.

Chairman Bisacky noted the Agency needs more information on the farm office and residence and the barn and apartment. Also further information regarding the septic system and utilities. Mr. Drabkin will check with the Sanitarian regarding whether one or two septic systems are needed. Bisacky also noted the underground utilities need to be shown on the plan.

There was discussion regarding the farm access road and where it goes. Mr. Drabkin noted that was previously used for logging purposes. They would like to use it for their vehicles. He indicated parts of the road need to be rerouted because of the grade. A bridge would also be needed in one area. Drabkin also noted all these things still need to be approved by Zoning. Chairman Bisacky noted the stream crossings should not be impactful and flows from storms should not cause any bridge to be swept away to cause problems downstream. More details need to be provided on what is being proposed.

Chairman Bisacky asked what perma-culture was. Rebecca noted perma-culture is a way of growing things that don't need the soil to be tilled or reworked, things that self-seed. No turning over of the soil.

Chairman Bisacky noted the application was received at this meeting. The Agency will make a determination if this is As of Right and whether an application fee is required. Christine Darnell noted she would like to see a time line for these activities.

A site walk was scheduled for Wednesday, June 28th at 6:30 PM. Chairman Bisacky also noted he would like to see things designated on the plan as either existing or proposed. A letter from the Sanitarian regarding the septic system is also required, as is a list of activities and what the priorities are. It was noted the next Agency meeting will be July 10th and not July 3rd due to the July 4th holiday.

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8. Regulations and Map Modifications – nothing further at this time.

9. Wetland Compliance Officer's Report

WCO Sweeney noted she received a request for a sign off on a Dam Safety General Permit for 92 West Main Street. She has asked what this entails as Dam Safety is not the Agency's jurisdiction.

10. Correspondence

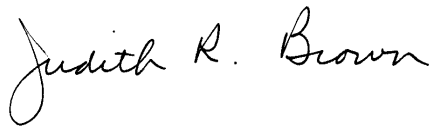
Copies of the Habitat were distributed.

12. Any Other Business – none.

13. Adjournment

Motion by Blair, second by Sanders, to adjourn at 9:00 PM. Unanimously Approved.

Respectfully submitted,

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

Judith R. Brown, Recording Secretary