

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

**Chester Inland Wetlands & Watercourses Agency
Regular Meeting, June 6, 2016
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1. Call to Order

The Chester Inland Wetlands & Watercourses Agency held its regular meeting on Monday, June 6, 2016, at the Chester Town Hall, 203 Middlesex Avenue, Chester, Connecticut. In attendance and seated were Al Bisacky, Sally Sanders, Christine Darnell, Bob Blair, Kris Seifert and Kim Senay who arrived during the meeting. Anna Sweeney, Wetlands Compliance Officer, was also present. Chairman Bisacky called the meeting to order at 7:00 PM.

2. Minutes – May 2, 2016

Motion by Sanders, second by Darnell, to approve May 2, 2016 Minutes amended as follows – Under 4. #16-05, 3rd paragraph, last sentence should read, “It was noted the original wetlands permit was approved with the curbing as optional.” Unanimously Approved.

3. Audience of Citizens – none.

4. #16-06 Chester Liberty Trust – application for 29 Liberty Street

Chairman Bisacky noted this was a new application. Chris Komondy noted he would like to rebuild his house as specified with the parameters of what the insurance company allows basically using the same footprint of the house and garage. The only minor change is that the house and garage are connected. This already has been approved by Planning & Zoning because it passed the setbacks. We are using the same foundation for the garage and pouring a concrete floor. The garage currently has a dirt floor. There are some minor changes to the garage because of the handicap specifications and the width of the garage doors. The garage width has to be increased slightly to accommodate the doors. Other than that its pretty cut and dry.

Chairman Bisacky explained the application process. The Agency cannot act on an application for 15 days. We typically act on applications at the next regularly scheduled meeting, but must act on them within 65 days. The Agency will review the application this evening to be sure all information has been provided. It will look over the checklist and materials to see if there are any questions. The Agency then will decide if the application constitutes a significant impact to wetlands and if that is the case, will decide whether or not to hold a public hearing.

Mr. Komondy pointed out there are no wetlands just a watercourse on the back part of the property which is behind a 15 foot drop to the streambed.

Chairman Bisacky noted this is within the 100 foot review area from wetlands or watercourse. He reiterated the review area is from the edge of wetlands or watercourse. Komondy noted the bulk of the house doesn't fall under the review area just the lower left corner where it attaches

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to the garage.

Chairman Bisacky noted the Agency had an application for this property 5 or 6 years ago and this looks pretty similar. Sally Sanders asked if this was the same house that was proposed the last time an application came in. Sanders noted then this is the same application that was presented the last time.

Chairman Bisacky reviewed various items on the site plan with Mr. Komondy. Bisacky asked Ms. Sweeney to have the old file available for the next meeting.

Ms. Sweeney asked Mr. Komondy when communicating with her to contact her by phone even though she may be out of town.

Chairman Bisacky asked if there was anything from the old application that should be included with this application. Mr. Komondy noted all the information and studies from the old application should be readily available in the files. Bisacky noted any information to be considered with this application needs to be resubmitted. It is incumbent upon the applicant to provide that information. It is not incumbent upon the Agency to research those files.

Sally Sanders asked if the septic system was in place and working. Mr. Komondy replied yes. He noted there was a letter from the Sanitarian. Chairman Bisacky reminded Mr. Komondy if there is anything from the old file that needs to be submitted in support of this application, he must submit it.

Anna Sweeney asked if the thermal well submitted last time was part of this application. Chairman Bisacky noted it apparently was not as it was not shown on the site plan.

Chairman Bisacky questioned the accuracy of the survey relative to soil stockpiles that were not depicted on the plan. Sally Sanders noted there is nothing relative to vegetative restoration on the plan. A planting plan needs to be submitted.

Chairman Bisacky noted the following items are lacking and need to be submitted -

1. Provide a planting plan.
2. Correct existing topo.
3. Show existing septic system and provide evidence it is adequate and no other work is necessary on it.

There was discussion regarding the size of the foundation. Mr. Komondy noted the hole is substantially bigger. There is no additional digging that has to be done. Because of the

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topography of the land, the back is at ground level and there is no basement in the back of the house. One can walk out of the back of the house at ground level.

Sally Sanders noted she would like to see elevations to determine how much excavation there is. Komondy noted that was submitted last time. He indicated there were doors at the back of the house where one walks out on to ground level. He presented pictures of the existing house showing these doors previously. Nothing has changed. Chairman Bisacky asked him to submit that information.

Kim Senay asked how the excavation and construction of the garage was going to be accomplished. Bisacky noted the grades behind the garage are at 92 and the grades at the front of the garage are at 96. There is no proposed grading shown around the garage. The question is what will the proposed grades be around the garage. Chairman Bisacky noted he is a Civil Engineer and there is a 4' grade change between the front and the back of the garage. Komondy noted he would bring pictures to the next meeting. Bisacky noted he didn't want to see pictures, he wanted the proposed grading shown on the site plan. (Item 4 to be added to the above list is to show proposed grading.)

Width of the driveway was reviewed. Roof water runoff was also questioned. Sally Sanders noted the application says roof drainage into dry wells. She asked where the dry wells were shown on the plan. She further noted the proposed dry well for the drainage is where the trailer is currently located. The application states the mobile home will be removed after completion of the house. Sanders pointed out something is wrong with that timeline. She asked if the dry well was already there. Komondy noted that conversation came up at the last application. Sally noted that was in 2011, too long ago to remember. Komondy noted the effort to locate the existing dry wells would be more damaging and disturbing to the property so the engineer said to forget the old dry wells and put in new ones.

Chairman Bisacky noted that based on this plan the impervious area on the property is being increased. The plan needs to show how this extra runoff from the impervious area will be handled and what the design is for the storm water management to infiltrate water into the ground or do you propose to let it run off into the stream. Design calculations are also needed to support this plan (#5 on the above list of items to be submitted). Bisacky noted Mr. Komondy might want to consult the State of CT Storm Water Quality Manual for guidance.

Anna Sweeney noted the application also requires a \$160.00 application fee.

Chairman Bisacky noted there is a question about what the driveway material would be. Is it stone or paved? Komondy replied it is currently processed. Bisacky asked what the proposal

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would be. Komondy replied processed as it is now. Bisacky noted the plan shows the driveway wider and in a different location. Komondy noted additional process will be added.

With regard to the fee, Mr. Komondy noted the Chairman should consult with Attorney John Bennet because he was the one who asked Komondy to submit this application. Chairman Bisacky noted the IWWA checklist states there is a fee required. As part of the application, one must submit all of the required materials and a fee is required. He further noted the Agency doesn't care who pays the fee, but it has to collect a fee or the application is not complete.

Chairman Bisacky briefly reviewed the application process. At the next meeting, the application could be approved, denied, approved with modifications or tabled to the following meeting. At the following meeting, the application can be approved, denied or approved with modifications, or the applicant can grant the Agency an extension of up to 65 days in writing. At the end of those 65 days, the Agency must act on the application in front of it and if it is incomplete as deemed by the Agency, the Agency cannot approve it.

Chairman Bisacky noted the Agency should make a determination if this is a significant activity that would require a public hearing. Personally he didn't feel it was a significant activity. Sally Sanders agreed with Chairman Bisacky. Bisacky also noted that a determination can be made at a later date if additional information is submitted that would make it a significant activity.

Everyone was reminded the next meeting will be July 11, 2016 due to the 4th of July Holiday.

A member of the audience asked if the public could speak at this time on this application or if the Agency was going to discuss it. Chairman Bisacky noted the only way the public can speak on an application is in writing to the Wetlands Compliance Officer or if the Agency determines it is a significant activity and there is a public hearing. As a regular application, one is welcome to observe, but not welcome to submit testimony. The Agency has already decided this is not a significant activity at this time. The other option for the public is to petition for a public hearing with 25 signatures. This same member of the audience asked if the regulations have changed in the last 5 years. Chairman Bisacky replied no, the regulations have not changed in the last 5 years. It was also asked if on the checklist, the abutters or neighbors are to be notified of an application. Chairman Bisacky replied yes. One thing to be looked at at the next meeting will be the notifications to adjacent neighbors. Anna Sweeney noted Mr. Komondy had indicated he had mailed notifications. There is no requirement for proof of mailing. Six adjacent property owners were noted in the application.

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

It was noted Eric Davison and Anna Sweeney were to visit the site, but that has not been scheduled yet.

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

7. Wetland Compliance Officer's Report

WCO Anna Sweeney reported on the following -

- Received request from Chester Point Marina as to whether or not replacing their hoop building required a wetlands permit. Ms. Sweeney noted the building was outside the regulated area. They will be replacing it with a regular building, not another hoop building. A variance from ZBA is needed. Chairman Bisacky agreed this was outside the regulated area and a gravel strip was included on each side of the building connected for roof runoff. No wetlands permit is required.
- Received copy of Pesticide Management Application to the State for pond on Deep Hollow. Chairman Bisacky noted this Agency has no jurisdiction.
- Anonymous letter received regarding activity at Chester Airport. Ms. Sweeney noted she has looked at this before. She has also looked at historical maps and they don't really look any different. The wetlands are pretty far away. They are shoring up the end of the runway. Bob Blair noted at the beginning of this discussion that he would have to recuse himself. This was anonymous so will just be put in the file.

8. Correspondence – none.

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

10. Any Other Business – none.

11. Adjournment

Motion by Seifert, second by Darnell, to adjourn at 8:00 PM. Unanimously Approved.

Respectfully submitted,



Judith R. Brown, Recording Secretary