

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

Chester Inland Wetlands & Watercourses Agency

Regular Meeting, May 1, 2017

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1. Call to Order

The Chester Inland Wetlands & Watercourses Agency held its regular meeting on Monday, May 1, 2017, at the Chester Town Hall, 203 Middlesex Avenue, Chester, Connecticut. In attendance were Al Bisacky, Bob Blair, Kim Senay, Kris Seifert, Christine Darnell and Eric Davison. Anna Sweeney, Wetlands Compliance Officer, was also present. Chairman Bisacky called the meeting to order at 7:06 PM.

2. Minutes – April 3, 2017

Motion by Blair, second by Senay, to approve April 3, 2017 Minutes as written. Approved with Seifert abstaining.

3. Audience of Citizens – none.

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

Attorney Matt Ranelli (Shipman Goodwin) introduced himself as well as Roger Nemergut (Engineer), Jody Chase (Soil Scientist) and Charles Greeney Jr. (Whelen Facilities Director). It is also noted for the record Bob Blair recused himself from this application as he is an employee of Whelen. Kim Senay also recused himself on advice from his attorney.

Attorney Ranelli noted it has been rainy and wet so there hasn't been a lot of activity. The first thing they did was to concentrate on additional stabilization measures at the bottom of plateau #2 to prevent any more sediment from going further down to the wetland. Inspections are ongoing after rain events.

Jody Chase noted everything is going beautifully. The water coming from the old silt fence is very clear so its working well. Attorney Ranelli noted Mr. Greeney is monitoring the hay bales and waddles along the access road. Most of the sediment has been removed from the upper plateau. Rich Snarski reviewed the area and felt there was a little more to be removed (3" to 4"). It was noted that will be done as soon weather permits. That will finish the upper plateau until the final planting. Once things dry out, they can go to the lower plateau where everything will be removed by hand. That work should be done in July/August.

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Chairman Bisacky asked about the manmade basin. Ms. Chase noted a lot has been done there. They've increased the anti-tracking apron from the access road, added some material around the basin and increased the height of the outward flow so no water is flowing out. The basin is working well.

There was discussion about stabilizing the slope that was the source of the sediment. Attorney Ranelli noted this also involves talks with the Zoning Commission and State DEEP. They are meeting with the Town's Zoning Compliance Officer on Wednesday. Ultimately they will start to remove a lot of the stumps either off site or grind them if they can get proper authorization. It may be a combination of both. This would occur well outside the upland review area. Afterwards, the angle of the slope would be closed up. Ranelli also noted they would like to move a portion of the access road near the toe of the slope over to give more room both to get things off the slope and to grade the slope out so it has a lower angle. That probably means moving the road about 30' toward the wetland. It would be a well designed road pitched away from the wetland and be permeable so things will infiltrate. The slope will be lower, stabilized and won't cross the roadway into the wetland. Moving the road would not have an adverse impact, but hopefully a beneficial impact. This still needs to be discussed with Zoning and DEEP, but room will be needed to operate equipment.

WCO Sweeney noted the detention basin is excellent and doing a great job. There are hay bales along the edge of the slope. She indicated the area needs to be planted. There is another area prior to this that has a bit of a wash out and moving the road might be good for that area.

Chairman Bisacky noted there hasn't been much discussion about stabilization. There should also be discussion regarding restoration associated with the Cease & Desist and an application to be submitted. He indicated this Agency does not issue permits to address a Cease & Desist issue. WCO Sweeney noted her concern was the application process will be difficult because of the fact DEEP and Zoning are involved in this matter. She indicated the planting should be done for stabilization. Discussion ensued as to how to proceed with the stabilization, the corrective work and moving the road. The plan was reviewed in detail, as well as the equipment needed.

Chairman Bisacky noted he was concerned about building a new road at this time. Roger Nemergut noted it would probably be more of a staging area at this time.

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Attorney Ranelli noted once everything is done, the road doesn't really serve any daily purpose other than for emergencies.

Eric Davison asked when the corrective work will be done. Ranelli noted they would like to start removing some of it now but its too wet. The initial effort will be to transport the stumps off site to a permitted disposal facility for stumps. He indicated they met with DEEP and need to get back to them with a proposed plan.

Roger Nemergut noted what is there now is a very steep slope. He explained the process of removing the stumps and what is needed after that. Mr. Davison noted that is a significant amount of work.

There was further discussion regarding the restoration plan, addressing the slope, moving the road over and what was part of the Cease & Desist and what would require a permit. There was also discussion regarding drainage from the slope.

Attorney Ranelli indicated they are getting closer to being able to put together something that will satisfy Wetlands, Zoning and DEEP with one plan. He will give some thought as to the process and what permits would be required. He indicated applying for a wetlands permit now could slow down the restoration work related to the Cease & Desist. This work will be done as soon as the rain allows.

Attorney Ranelli noted they will continue their inspections and monitoring the sediment. At the next meeting they will have a much more detailed plan and time line of activities for work on the slope. They will put together a package indicating which elements they need for compliance with the Cease & Desist and which elements would be after the lifting of the C&D and those elements would have to be permitted separately. Chairman Bisacky noted stabilizing the slope would be part of the C&D and must be completed.

5. Chester Airport, 61 Winthrop Road – unpermitted activity within review area
It was decided to leave the Order in place and this will be on the next Agenda for June 5th.

It is noted for the record both Bob Blair and Kim Senay rejoined the balance of the meeting at this time and that Christine Darnell left the meeting at 7:45 PM.

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6. #17-01 – David Miller, 105 Cedar Lake Road – addition to residential dwelling
Mr. Miller noted he is waiting for a test hole to be done for the new septic plan.
Things have been rained out. This will be continued until the next meeting.

7. #17-04 – Scotland Hardwoods, 88 Winthrop Road – As-of-Right Application for
Timber Harvest

Rod Burgess noted he submitted an as-of-right application for a timber harvest on the Moores property at 88 Winthrop Road (32-34 acres). He reviewed the location of the property and the scope of the operation. Staging locations were reviewed, one at the end of the driveway and one off of Butter Jones Road. The property boundaries have been marked with pink flagging and the skid trails marked with blue flagging. The trees to be harvested have been marked with paint. Mr. Burgess noted he and Ms. Sweeney walked the site last week. 40,000 feet of saw timber will be removed from the property. The work will take about 4 to 6 weeks. Drainage crossings were located and reviewed (as shown on Exhibit B). Burgess noted they handle the whole operation themselves. **Motion by Senay, second by Davison, to approve #17-04 as an as-of-right activity. Unanimously Approved.**

8. #17-05 – Peter DePatie, 42 Ferry Road – relocate driveway

Pete DePatie noted he had a surveyor mark the boundary line. He reviewed location of the property noting his driveway currently goes across the railroad property which does not have an easement. He would like to move the driveway on to his own property. He explained last time there are numerous disturbances of people parking on his driveway which is a real big annoyance to his family. Mr. DePatie reviewed the area of the new driveway and the work needed. He stated he does not want to take down a lot of trees. He also noted there is a State storm drain on his property that has no easement. The new driveway area will be stabilized and grass planted on both sides of the driveway. The surface of the driveway will be processed gravel, same as what he now has. Members will do a drive by look at the property. Application fee of \$160.00 was submitted. This application will be on the next Agenda.

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

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10. Wetland Compliance Officer's Report

WCO Anna Sweeney reported on the following -

- Town road sweeping is a little late due to all the rain. They will start within the next 10 days or so and will do catch basin cleaning after that.
- Town drainage area on Parker's Point was reviewed. Complaints were received from the landowner. Town will be installing a riprap swale. There is a tremendous amount of water coming through the area.
- Application will be coming in in the few months for repair of a retaining wall on Cedar Lake Road.

11. Correspondence – none.

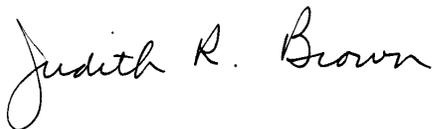
12. Receipt of Applications After Posting of Agenda – none.

13. Any Other Business – none.

14. Adjournment

Motion by Davison, second by Seifert, to adjourn at 8:17 PM. Unanimously Approved.

Respectfully submitted,

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

Judith R. Brown, Recording Secretary