

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

Chester Inland Wetlands & Watercourses Agency

Regular Meeting, October 2, 2017

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1. Call to Order

The Chester Inland Wetlands & Watercourses Agency held its regular meeting on Monday, October 2, 2017, at the Chester Town Hall, 203 Middlesex Avenue, Chester, Connecticut. In attendance and seated were Al Bisacky, Christine Darnell, Eric Davison, Bob Blair and Kim Senay arrived shortly after the meeting began. Anna Sweeney, Wetlands Compliance Officer, was also present. Chairman Bisacky called the meeting to order at 7:00 PM.

2. Minutes – September 11, 2017

Motion by Darnell, second by Blair, to approve September 11, 2017 Minutes. Approved with Davison abstaining.

3. Audience of Citizens – none.

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

It is noted for the record Bob Blair and Kim Senay recused themselves for this item.

Attorney Matt Ranelli introduced himself and Jodi Chase. Jodi Chase submitted a status report with a photo of the lower plateau. It was noted they attended the August meeting but skipped the September meeting in order to monitor the growth of vegetation in the lower plateau. Vegetation wasn't coming in as well as they thought it would. There was a thick layer of hay and the seeds didn't germinate. There is still a lot of seed there and they removed a lot of the hay. Hopefully the remaining seeds will germinate and if not, they will reseed next Spring. All erosion controls are still in place and functioning. Everything above the plateau is stable and below the plateau is a very densely vegetated wetlands. All in all things look very good, just not as much growth as they had hoped for.

Anna Sweeney noted she visited the site which is very vegetated in the tailings area. Other areas might need to be reseeded in the Spring, but it is hopeful the seeds will finally germinate. Christine Darnell just wanted to confirm the areas will be reseeded if it doesn't take. Ms. Chase agreed.

Attorney Ranelli noted he thought all items in the Order have been addressed. Roger

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Nemergut had indicated nothing had changed since he last reported to the Agency. The access road will stay where it is. There are no plans to move it. If in the future that changes, they will come back to the Agency.

Attorney Ranelli noted they are working with DEEP on the slope and will be going to Zoning. He anticipates another meeting with DEEP in the next couple of weeks. They are working with DEEP and Zoning concurrently. If any changes are needed with the slope or the upland review area, they will come back to the Agency.

Chairman Bisacky reviewed the items in the Order. It was noted the Order will remain in place, but they do not have to come to meetings. Hopefully in the Spring when things continue to grow, the Agency can take some action. It was noted this item could not be voted on at this meeting due to the lack of a quorum (for this item). Attorney Ranelli noted he would like this item cleared at a meeting when there is a quorum to vote.

5. Chester Airport, 61 Winthrop Road – unpermitted activity within review area
This agenda item was tabled.

It is noted for the record Bob Blair and Kim Senay rejoined for the balance of the meeting.

6. #17-09 Town of Chester, 9 Parkers Point – Drainage Project
Scot Mills from Public Works Department was present. It was noted they walked the site and reviewed the plan again. There is a revised proposal which will bring this completely off of the Straub property. It will be on the right-of-way under the driveway. The homeowner in the back is in agreement and Mrs. Straub is happy that her yard doesn't have to be dug up. Everything will be done in the driveway. There was discussion as to the location of the wetlands. It was noted Jeff Jacobson is working with First Selectwoman Gister and Mrs. Straub to get an easement. The area where the 4' drop is will be filled in and seeded. There was much discussion regarding filling in the stream channel and/or the pond area. **Motion by Davison, second by Darnell, to approve Application #17-09 as presented. Unanimously Approved. Motion by Darnell, second by Davison, to reopen Application #17-09. Unanimously Approved. Motion by Blair, second by**

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Davison, to approve #17-09 as presented with the addition of filling the cement pond with fill under dry conditions feathering the grades adjacent to the wall but not filling the channel down gradient. Unanimously Approved.

7. #17-10 Joan Keating, 4 Kings Highway – application for garage/living space addition and driveway

Joan Keating, James Durning and Rick Price were present. Rick Price noted the existing house is 1,440 square feet. To the east side they would like to build a 24' x 36' garage with 10' x 10' connector directly into the house. Rich Snarski was hired to delineate the wetlands boundary. Mr. Price noted the house was built in the 60's and almost all the lawn going up to the stream was filled in. Mrs. Keating noted it was originally 12 acres of farm land. Mr. Fredericks bought 8 acres behind them and subdivided that into 3 lots with a driveway up behind.

Joan Keating noted they bought the house 12 years ago and it has been rented. They live in Westchester, NY. They would like to put up a garage connected to the house. This is the best location for a garage. The driveway would go out to Kings Highway. The whole property is now grass all the way back to the stream. It hasn't been touched since the 60's. It was noted Rich Snarski felt this was a non-problem and little or no impact. Mrs. Keating noted they replaced a giant Willow in the back and added 3 more Willows. Anna Sweeney noted the property has been staked by Mr. Snarski. Mrs. Keating noted they would eliminate the existing driveway. Eric Davison asked why the new driveway wasn't shown on the plans. Mrs. Keating noted she had to ask the surveyor to add things to the plan and was told this drawing would suffice for this meeting.

Chairman Bisacky reviewed the application process noting the application would be received at this meeting. He indicated the Agency would be looking for alternates (in writing) and why they didn't work. Eric Davison noted he would like to see a report from Mr. Snarski outlining what he found.

Mrs. Keating noted they have done a lot of work over the years to keep the property pristine. They thought about doing the garage further away from the house, but wanted to keep it as close to the road as possible and not toward the stream.

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Mrs. Keating noted the idea was to have a one bedroom house and add two bedrooms over the garage. The septic is sized for a 3 bedroom house. The septic is in the wetlands. There was no permit for the new septic system which was installed in 2013. Eric Davison asked if any testing had been done when the new system was put in.

Chairman Bisacky asked if the driveway could be staked out. Mr. Price replied yes. Agency members will do a drive by. Eric Davison noted the application should be clarified. Anna Sweeney also noted they need to include alternates. Mrs. Keating noted the garage can't go on the other side of the house because that is where all the water is. She also noted the old garage was closed and is now living space.

Eric Davison noted applications in the wetlands need to be for minimal disturbance or avoiding it altogether. He also noted hand drawn stuff on a plan is a slippery slope. When there is this much activity in the wetlands, the Agency must be careful what it takes in as an application. Chairman Bisacky noted members will take a look at the site and plans need to be submitted showing grading, etc.

Rick Price reiterated he had submitted copies of everything, but it didn't seem to be here. He indicated he would get in touch with Mr. Snarski and clarify some items.

Chairman Bisacky encouraged the applicant to go on line and review the application checklist. He reiterated alternates need to be submitted. In general, when there is an impact to the wetlands, the Agency looks for some sort of mitigation. Mrs. Keating noted that was the idea of the two rain gardens. Chairman Bisacky suggested they look at the CT Water Quality Manual for information regarding rain gardens. Eric Davison noted the size of rain gardens is based on runoff. Mrs. Keating reiterated the area has been manicured grass for at least 40 years. It does have a culvert that drops thousands of gallon on to their property. No one has touched or maintained it or done anything with it since the house was built.

Chairman Bisacky noted increased development and increased imperviousness impacts the properties downstream. They are now proposing more development which will make the problem worse downstream. The applicant needs to show the Agency how it is going to solve that. The Agency can't approve something that will be

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more impactful. Mrs. Keating noted where the driveway is proposed is the driest area on the whole property.

In summary, it was noted the applicant will stake the driveway area. The garage building is already staked. The grade on the new driveway will not change at all. The application should include some indication of elevations and grades to scale. Chairman Bisacky noted the Agency has to have a plan describing what the applicant wants to do so the members can look at it and the WCO can look at it and see that it is what's described in the application.

It was noted this will be on the next meeting agenda.

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

9. Wetland Compliance Officer's Report

There was a brief discussion about the town cutting down a tree and it then falling into the stream.

10. Correspondence – none.

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

12. Any Other Business – none.

13. Adjournment

Motion by Davison, second by Darnell, to adjourn at 8:40 PM. Unanimously Approved.

Respectfully submitted,



Judith R. Brown, Recording Secretary