

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

Chester Inland Wetlands & Watercourses Agency
Regular Meeting, July 2, 2018
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1. Call to Order

The Chester Inland Wetlands & Watercourses Agency held its regular meeting on Monday, July 2, 2018, at the Chester Town Hall, 203 Middlesex Avenue, Chester, Connecticut. In attendance were Al Bisacky, Sally Sanders, Bob Blair, Bill Bernhart, Ellie Wahlberg, Eric Davison. Anna Sweeney, Wetlands Compliance Officer, was also present. Chariman Bisacky called the meeting to order at approximately 7:00 PM.

2. Minutes – June 4, 2018

Motion by Sally, seconded by another commissioner, to approve June 4 minutes. Approved unanimously.

3. Audience of Citizens – no one offered any comment

4. Public Hearing -

#18-03 Christopher Komondy, 29 Liberty Street – Residential Home Building.
Chairman Bisacky reviewed the rules for a public hearing per regulations.

Mr. Komondy opened stating that a public hearing was optional for the Commission. Al Bisacky stated that the Commission chose to have a public hearing in the interest of informing the public and providing public comment on the application. Mr. Bisacky also reviewed the requirements for presenting the complete application in the public hearing.

Mr. Komondy summarized his application as follows:

The proposed house is being rebuilt at the location and site of the original house which was destroyed by fire and demolished. The current garage has existing cement and stone foundation with sandy floor. The sand is to be removed, then filled with process mix and a concrete floor poured. New to the footprint of the house will be a connector from the back of house to the garage. This will be a single story, slab floor and flat roofed structure. A flat deck will be located on top of the connector. Planning and Zoning and the Building Department have verbally approved the proposed house setback. 2 new drywells will be installed to avoid searching for and damaging old drywell locations.

A project orientation for attendees, referring to plan documents, was provided by:
Engineer Gregg T. Fedus, Fedus Engineering LLC, 70 Essex Street, Mystic, CT 06355

The original house burned down around 2005.

There is an existing garage, a house trailer where Mr. Komondy now resides and the original driveway. Test pits were dug to confirm acceptable leaching and septic capabilities. The septic system, currently in use on the property was approved by the town Health Department/Sanitarian. Following the flooding of 1982 the Army Corp of Engineers installed large rock banks along the stream to the rear of the property. Mr. Fedus reviewed the location of current and proposed structures with regard to our review area.

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Infiltration systems will be installed to handle storm water from roof runoff.

A silt fence will be installed to prevent silt runoff during construction.

4 geothermal wells will be drilled to the front of the property. A temporary retention basin will be created in the footprint of the old house cavity for initial well flow. The soil is well drained so there should be minimal risk of overflow. Wells will be drilled and capped in succession.

Al Bisacky inquired as to the limits of the original house. The proposed house is a bit larger than the original. Roof run-off calculations include all impervious areas. The West side flat roof Deck over connector is included in impervious calculation. This surface will be piped and drained to dry wells. Grading and disturbances. There will be limited fill to get to planned contours near structures. Any excess material will be removed from property.

Silt fence to mitigate disturbance. Stockpiles of materials were noted. Finish landscaping and lawn will cover property from silt fence to road.

Existing garage foundation – there will be no exterior disturbance except as required to repoint stone foundation.

Existing septic system to be retained. Letter from Health Department Sanitarian approved 5 days prior (dated June 25, 2018). Existing trailer is using septic system now.

Existing septic system will be used. Plan is for a 4 bedroom home, downsized from original 5-6 bedroom home. Code compliant area superimposed on existing septic system area noted on plan.

Thermal system wells (4) will be drilled and capped in succession.

Proposed layout is over-designed to prevent drilling flooding issues.

Hay bales are a temporary mitigation for well drilling runoff.

No specific cut/fill analysis. Excess material will be carted off.

Three new infiltration systems (drywells) were reviewed.

Requested revised plans be provided for each of the commissioners.

Square footage to be added – 24x30. 440 sq. ft. open deck to be a wood slatted deck. This deck is counted as building coverage but is not included in impervious total. Lower flat roof deck is on impervious roof of cement structure connecting garage to home.

Impervious areas total approximately 4,100 sq. ft., building coverage is 4400 sq. ft.

Elevation of existing garage floor? Plan shows elevation in front of garage 2 feet higher to sheet flow around garage. Is there fill involved in raising to planned level? Need to clarify elevations, spot grades in area of garage with regard to cut/fill plans.

House foundation had to be raised to meet building code for basement height. This and front yard setback requirements affected configuration of the front stoop, steps and walk grade to road level.

There was much discussion of the elevation of the various structural components and the associated

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grading or cut/fill requirements to achieve the plan. Basically, the connector will be entered from a doorway in the basement of the house. Access to the garage from the connector will be up steps and through a doorway into the garage. Mr. Fedus needs to clarify cut/fill plans for area between rear of house and garage. There will be excavation for entire footprint of house in order to install foundation footings. Slab of connector will be close to current grade but construction requires excavation for footings.

Garage foundation wall height needs to be clarified with regard to increased elevation of floor and drainage in front of garage. Elevations around garage are designed to direct flow of water away from entrance and around the structure.

Grading will result in placement of some soil materials over leaching fields.

4' grade change from Liberty to edge of silt fence. Mr. Fedus will clarify proposal for limit of fill on plan, where new grade meets existing grade in review area and outside of review area, to transition grade. To provide detail numbers.

Need to confirm that the 2 planned stockpile areas are adequate as planned.

Mr Fedus stated that any excess material will be trucked offsite.

Need reasonable expectations detailed in plan. Cut/Fill, limits of grading, cross sections to clarify plans relative to existing garage.

Sally requested buffer to mitigate any runoff from property to rip/rap and stream.

4 additional maps to be provided by Mr. Fedus.

Were any alternatives considered?

Mr. Komondy provided a document stating some facts of the situation.

1. No actual wetlands on the property. Brook is 12 feet below surface of building lot, lined with boulders installed by ACOE after flooding in 1980's.
2. No other practical location to rebuild house
3. Underground electrical service for current structure exists and will be reused. No additional digging required.
4. Existing stone foundation of the garage will be used for the new garage structure.

Mr Komondy provided planting plan documents.

End of Mr. Komondy's application presentation.

Public comment:

Gerald Dubey, 30 Liberty Street

What is the going forward procedure?

Public hearing will remain open pending receipt of additional required information with public opportunity to comment. The Public Hearing will remain open for 45 days unless extended by applicant. Action by commission must be completed within 35 days of closing the hearing.

Mr. Dubey was concerned about collateral damage to the ground water supply resulting from the

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drilling of 4 geothermal wells. The mechanics of drilling are similar to drilling a well for water supply. The wells are drilled and capped in succession and are contained well below grade level. The geothermal wells are 6-8" in diameter, a closed loop system, circulating ground water for extraction/absorption of heat energy using heat pump technology. Mr. Bisacky stated that the Commission is not involved in any bonding.

Nikki Sahagen, 27 Liberty Street
Ms. Sahagen owns the home to the East of 29 Liberty.

Why are there perk test locations by the garage?

Mr Fedus answered that three test pits were dug to determine soil type, leaching and infiltration characteristics as they would affect the sizing and performanc of the septic system. The results of the perk tests were consistent. Wells indicate adequate drainage and tests were approved by the Sanitarian.

Ms. Sahagan has significant water issues in the basement of her home. Being an old house with a stone foundation it is subject to seepage of ground water, requiring use of sump pumps. She is concerned over the growth of house footprint between street and watercourse and how it affects water flow onto her property. Surface flow and subterranean flow are 2 different issues. Per Mr. Fedus, the water flow plan has no surface drainage from one property to the other. Drainage plan directs water parallel to property line. He can create a swale or berm to assure flow is contained on the Komondy property. Grading plan will be revised to eliminate any cross-property surface flow and clarify any ambiguity in flow patterns.

Subterranean flow from the direction of Liberty Street to the watercourse was not detected in the perk test pits. The Komondy property rests on well drained sand and gravel. Can not determine subterranean flow from these test pits. Mr. Fedus will work the Northeast corner flow plan to assure no surface flow onto adjacent property.

End of public comment. Public hearing to remain open into next scheduled public hearing meeting.

Mr. Bisacky reviewed the additional information to be incorporated in the proposed application plans:

- Volume of fill on site and review area
- Contours and limits of fill
- Stockpile volumes
- Repairing and landscape planting plan, to be clarified
- Resolve grading and elevation of structures at garage area, including garage foundation to sill plate, floor, exterior garage entrance from driveway and all fill/grading surrounding the connector and garage structures.
- Grading solution in front East corner to assure surface water flow is contained on Komondy property and does not impact adjacent Sahagen property to the East.
- Plans need to be accurate to avoid construction delays.

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5. #18-03 Christopher Komondy, 29 Liberty Street – Residential Home Building Tabled.

6. Aaron Manor, 3 South Wig Hill Road – discussion regarding paving of parking area

Debby Bradley, Administrator, Aaron Manor deferred to Joel Severance, Director of Emergency Management who had mandated that the parking area be paved.

Mr. Bisacky stated that this is on the agenda to determine facts surrounding recent paving of a parking area, determine if a permit was needed, if any violation has occurred and the going forward course of action.

The original project permit (1995) included an auxillary parking specified at the time to remain grass. Since that time the parking area was graveled and this past Spring it was paved at the direction and mandate of the Director of Emergency Management to support the staging of fire trucks and ambulances during a rescue/evacuation event. The original permit had a 5 year expiration limit pertaining to the stated project work. Since that time rules have changed to eliminate expiration limits. As part of that permit streams were culverted and parking lot runoff was directed by slope to catch basins.

The parking lot is not within the currently defined review area. However, any potential impact to the watercourse is under our jurisdiction. The amount of newly paved area is not curbed but does direct some additional amount of runoff to the catch basins. However, the net impact to water volume and possible pollutants flowing through the catch basins is considered small.

Sally Sanders asked if there anything we can do to mitigate impact now that it is paved and directed to catch basin. The lot is crowned and not curbed which reduces flow to catch basins.

Eric Davison suggested we should not regulate outside of 100' review area. However, what we care about is slowing and treating runoff before it enters the catch basin. One option might be to slow flow with a side infiltration system, swale. However structural solutions involve effort and expense. While this may be a missed opportunity if it is not a violation of a permit do we regulate? If the situation is a grey area, we should err on the side of caution and not regulate. While there were notations on the original project plan, retaining a grassy auxillary parking area was not a “condition of the permit”. Recent paving was done in the interest of public safety. Let's not throw any more money at it.

Al Bisacky questioned, how do avoid getting in this situation again?

Anna Sweeney suggested that the parties involved keep us informed if similar situations arise in the future so we can have enhanced awareness and have the opportunity to affect outcomes.

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Eric Davison suggested that in the future Commission concerns be incorporated into plans as conditions of the permit. Conditions of the permit do not expire.

Al Bisacky closed this agenda item.

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

Moved to after 10.

Eric Davison and Anna Sweeney to investigate further.

8. Chester Airport, 61 Winthrop Road – unpermitted activity within review area

Moved to after 10.

Eric Davison and Anna Sweeney to investigate further.

9. #18-06 DePatie, 42 Ferry Road – driveway paving

Mr. DePatie presented his application for driveway paving, including arial photography.

Eric Davison stated that he has no issue with the treatment and infiltration involved in the plan.

The administrative permit for a portion of Mr. DePaties work is completed.

Submitting application for permit to complete balance of work – paving driveway.

No further suggestions or questions. The Commission will take action at the next scheduled regular meeting.

10. #18-07 Krzeminski, 80 Wig Hill Road – addition

Mr. Krzeminski has completed his application and it has been submitted.

The applicant was not aware that an IWWC permit was required. And was not advised of this procedural requirement when he obtained his building permit.

Anna Sweeney identified site corrective actions which Mr. Krzeminsky has completed to her satisfaction.

A motion was made and verbally approved by the Commission to waive permit fees for this application.

No additional action is required by the applicant.

Application cannot be acted upon by the Commission until next meeting.

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Agenda item closed.

11. Regulations and Map Modifications

No action required at this time.

12. Wetland Compliance Officer's Report

Anna Sweeney had nothing to report at this time.

13. Correspondence

There was no correspondence to review.

14. Receipt of Applications After Posting of Agenda

There were no additional application received.

15. Any Other Business

There was no additional business.

16. Adjournment – Motion to adjourn made and seconded. Chairman Bisacky adjourned the meeting at approximately 10:00 PM.

Respectfully submitted,

William T. Bernhart, IWWC member