

**NOTE: These Minutes are subject to Agency approval at next Regular Meeting.**

**Chester Inland Wetlands & Watercourses Agency  
Regular Meeting, March 4, 2019  
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**1. Call to Order**

**The Chester Inland Wetlands & Watercourses Agency held its regular meeting on Monday, March 4, 2019, at the Chester Town Hall, 203 Middlesex Avenue, Chester, Connecticut. In attendance were Al Bisacky, Sally Sanders, Eric Davison, Bill Bernhart, Bob Blair, Ellie Wahlberg and Kim Senay (arrived 5 minutes after meeting started). Chairman Bisacky called the meeting to order at 7:03 PM.**

**6. #19-01, Mingoello, 9 Water Street – Mixed Use Development Public Hearing**

**Chairman Bisacky reviewed public hearing procedures asking everyone to please restrict their comments to Inland Wetland matters only.**

**Attorney Ed Cassella introduced himself representing Joe Mingoello for a mixed use development at 9 Water Street consisting of 7 town house style units and a building in the rear for office and community space. The units would be sold to individual property owners under condominium ownership and the office would be part of the condominium. The common space would be used by the condominium development.**

**Attorney Cassella noted Greg Fedus, project engineer, would review site conditions as it applies to Inland Wetlands approval. This is the first of 2 phases of approval from the Town of Chester. The application is subject to another public hearing by the Planning & Zoning Commission for development of this property.**

**This is already a developed site and the wetland issue is the Great Brook on the eastern portion of the property. The configuration of the development will keep the special proximity to the wetlands the same if not improved in some circumstances. There will be a net decrease in amount of runoff and additional storm water tenuation achieved through the rain gardens.**

**Greg Fedus from Fedus Engineering introduced himself representing Top Notch LLC which is Joe Mingoello. They are developing 3 duplexes along Water Street and one mixed use building in the rear which is office and one residential unit. They eliminated one of the access points closest to the brook. The entrance would be off of Water Street. There will be two garage doors under each building for a total of 6 garage spaces as well as parking in front of each unit. There is also a 2 car garage under the mixed use building as well as 2 spots in front of the building and additional parking to either side of the mixed use building (2 spaces on the west side and 3 spaces on the east side including the handicap space).**

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**Mr. Fedus noted the property line runs right along the edge of Great Brook. Wetlands have been delineated by David Lord. It's a manmade edge of brook, rip rap, etc. He indicated currently all the water just runs off the parking lot on the east side and directly into the brook. There's no curbing there. We have graded that area with curbing and a short landscaping wall and kept all drainage focused to the center of the site.**

**Mr. Fedus reviewed the proposed rain gardens which will handle run off from the roofs of all the buildings. They looked at drainage and there is a net decrease of about 1 cfs. He distributed drainage summaries. He noted they looked at the 2 year thru 100 year storms comparing where the water is going now and tried to correlate it. He reviewed the existing and proposed calculations. As the storms get bigger the rain gardens fill up and overflow but there still is a net decrease.**

**Mr. Fedus distributed a map reviewing the cuts and fills in the upland and floodway areas and the full site. There is a net cut on the entire property. He reviewed the cut and fill areas on the map. They are actually lowering the parking area considerably. The buildings are all above the floodway. There will be more storage for flooding so the net flood level will come down. Mr. Fedus noted they have met the floodway regulations for the Town of Chester and there won't be an increase of flooding, but a decrease.**

**Mr. Fedus reviewed landscaping, including locations of trees. They left some of the existing arborvitaes which provide shade for the brook. Additional plantings natural to the area have been added. They added street trees along Water Street.**

**Mr. Fedus reviewed the grading plan. There is an anti-tracking pad at the new location. They show stockpile areas, as well as silt fence along Great Brook. All the buildings are at the same elevation and pitch to the center aisle way captured by two catch basins that run out the access way to two more catch basins to a stormseptor which treats some of the solids as well as the floatables before getting into the D.O.T. storm water system. A good majority of the water will be treated by the stormseptor and rain gardens. They are extending the water and sewer lines from the southwest, entering the site running down the middle aisle serviced in the back. A considerable amount of water from the roofs can be stored in the rain gardens prior to overflowing.**

**Drainage area maps were distributed and reviewed. He noted the smaller storms get captured in the rain garden and there is no runoff. Mr. Fedus reviewed some of the information on the drainage area maps.**

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**Chairman Bisacky asked how many residential units. Mr. Fedus replied 7 residential units, a small commercial office space and a community room. Fedus confirmed each building in the front had 2 units and the rear is a commercial unit and a community room.**

**Chairman Bisacky asked what the percentage of impervious was on the site existing. Mr. Fedus reviewed impervious area – existing was 59.5 % and proposed was 64.6%. Bisacky noted it was greater than 40% so the Town adopted the MS4 Ordinance General Permit so we are bound to follow that. More than 40% impervious you must retain on site half the water quality. Does the proposal do that? Mr. Fedus noted he was sure it does but didn't have the calculations with him. Fedus noted all the roof water from the 4 buildings goes to the rain gardens throughout the site, that alone is 5 plus inches. All the smaller storms are probably less than an inch and that disappears. Mr. Fedus noted he will provide the calculations for the water quality.**

**Chairman Bisacky noted the Storm Water Quality Manual requires that primary water quality BMP's be utilized for water quality. The stormceptor is a secondary, not a primary and does not fit the requirement for BMP. How are you treating the runoff from the paved areas, roadways, parking areas, etc. Where is the primary water quality BMP for that runoff?**

**Mr. Fedus noted they don't want to put water from the driveways into the ground and that's why they ran it through the stormceptor. They did enough with the rain gardens to meet the water quality numbers. They will look specifically at that. Chairman Bisacky noted the General MS4 Permit references the Storm Water Quality Manual, Section 3.5, that talks about primary and secondary. Bisacky noted the State Model Regulations were adopted as an Ordinance last month.**

**Sally Sanders noted the Great Brook washed out the Liberty Street Bridge last year and has gone over Route 148 three times since she has lived here for 25 years. This watercourse floods once every 10 year period in her history. She was confused why there is an application where 2/3's of the buildings are in the floodplain. There are 4 garages in the floodplain and what's going to happen every 10 years when the flood happens. Is that what we want in the watercourse? She has a hard time approving something built in the floodplain.**

**Mr. Fedus noted the floodway elevation is 9.8. The garages are at elevation 11. Did the Key Bank ever get flooded? There may have been water around it. I question whether the people across the stream will be compromised by raising the elevation to 11 feet. We have an**

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**opportunity here to make this right and we should be making this less permeable and not more. Our job is to protect what goes into the watercourses and this is not going to do that.**

**Eric Davison noted changes from last month to this month were good. He noted rain gardens are intended to treat runoff from the pervious surfaces. Is there a way to modify this so the rain gardens can take some of the dirty runoff. He liked adding the rain gardens and the stormceptor, the pre and post numbers. He agreed the impervious increase is a little scary but he understood that was only a number. You are treating it and reducing the total runoff. He noted all the runoff from downtown Chester goes right into the CT River with zero treatment. As we get sites like this we should encourage the redevelopment of improved storm water practices over what was done 150 years ago. This is on the way to a nice improvement but it still could be improved upon. Mr. Fedus noted he will look for primary solutions to that. Chairman Bisacky noted there are two parallel requirements. One is retention of one half of the water quality on the site and the second is treating the runoff from all the paved areas as primary. Both of those conditions need to be satisfied.**

**Mr. Fedus noted currently everything sheet flows right to the brook. Elevation 10 is existing. They are at 10.7. They are not raising it several feet, just enough to get the water back into the site and not allow it to drain into the brook.**

**Eric Davison asked if water is being directed more to properties to the north or the west. Mr. Fedus noted the storm water is being directed to the center of the site and then down gradient to the discharge point which is just before the bridge. He will provide additional information. Davison noted he agreed with Sanders that the buffer along the brook is basically non-existent. Ideally it would be nice to expand that buffer. Mr. Fedus noted overall they did a pretty good job. Mr. Davidson noted there should be some sort of bonding in place in case these rain gardens do flood and wash everything out. Mr. Fedus noted the majority of the rain gardens are at or just above the elevations.**

**Kim Senay asked if there was a way to restructure the buildings to get under the previous impervious instead of increasing it. Mr. Davison noted there will be lower water quality with a bank then you will from these units because there will be less overall traffic volume and its been treated. The bank was never treated.**

**Chairman Bisacky noted the applicant was asked if he could provide the elevations of the ground on the other side of Great Brook. Mr. Fedus replied yes. Mr. Davidson noted it will**

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also be the property to the north and west and asked for data that there will be no change to those properties.

Chairman Bisacky asked about trash and recyclables. Mr. Fedus noted there will not be a dumpster. It will be individual cans in garages at elevation 11. Bisacky asked how they will be emptied. The reply was it will be a private pickup. The cans will be in the garage. Arrangements for pickup will be decided at a future date.

Chairman Bisacky asked Mr. Fedus to review the sedimentation and erosion control plan. Mr. Fedus noted the anti-tracking pad comes in at the new entrance. There will be silt fence down gradient all around the site, except for the entrance. Hay bales will be at the southwest and northeast side against the silt fence. There will be two locations for stockpiles.

Chairman Bisacky asked if there has been any consideration for temporary sediment traps during the earth work and if not, why not. Mr. Fedus noted he hasn't because the site is so small. The 2 year storm total is an extremely small amount. They could take a couple rain gardens on the perimeter and make them temporary sediment rain traps. The site is .6 acres. Mr. Fedus noted he will consider that.

Sally Sanders asked if the retaining wall will have a raised curb. Mr. Fedus noted it will be just a short wall to get drainage back on to this site instead of draining off like it does now.

Chairman Bisacky asked Mr. Fedus to review vehicle movements on the site. How will a moving van or delivery truck get on to the site. Mr. Fedus noted a truck will pull in and block areas for a time and then backing and pulling out. He noted he did not have templates with him but will look at this and provide additional information. The other option is to have smaller moving trucks. Bisacky noted he would like to know what the site can accommodate.

The following letters were summarized by Chairman Bisacky and will be available for anyone who wishes to read them.

- 1. Palaha Jiravetborvornkij, Thai Riverside Restaurant, dated February 28, 2019, 4 Water Street.**
- 2. Greg Cook, Chester Center, LLC, dated February 28, 2019, 4 Water Street.**
- 3. Dennis Welch, The Wheat Market, dated February 29, 2019, 4 Water Street.**
- 4. Leni Herschman & Jason Baker, dated February 27, 2019, 12 North Main Street.**

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- 5. Lisa Kyle and Peter Eichenbaum, dated March 4, 2019, 16 North Main Street.**
- 6. Kathleen and Thomas Archambault, dated 2/27/2019, 8 North Main Street.**

**Chairman Bisacky noted he would like to hear about sidewalks and easements. Mr. Fedus noted he doesn't know anything about the easement but will look into it. He also indicated they are not proposing any sidewalks along Water Street. Planning & Zoning wanted the buildings closer to the road so it doesn't offer a lot of room for sidewalks. There are sidewalks across the street.**

**Mr. Fedus noted he would calculate the volume below the flood elevation. He will look at the cut/fill numbers.**

**Chairman Bisacky asked for public comment at this time.**

**Tom Archambault, 8 North Main Street, had a couple questions. Are the concrete floors in the garages considered part of the impervious surface or just the roofs and the pavement. Bisacky noted impervious surfaces can't be stacked up so if it's a roof over, it would be just the roof area and the pavement outside. He reviewed the history of previous flooding. He noted there are too many buildings on such a small property. He also had questions about the easement and the retaining wall. Chairman Bisacky asked Mr. Fedus how the retaining wall on the west side would be constructed. Could it be constructed without going over the property line without an easement? Mr. Fedus noted without an easement they would have to do sheet piling construction. He will supply more information regarding construction of the retaining wall. Mr. Archambault asked if tying into the sewer has anything to do with wetlands. Chairman Bisacky replied no.**

**Dan Roscho, 12 Water Street, noted he has lived there all his life. He noted behind 4 Water Street, the drive in bank and the bank across the street were all filled in. His property is original height. After the '82 flood they installed a berm which pushes the water into the Archambault property. The water also goes up Water Street into Main Street. This is a big floodplain. He almost lost the foundation of his house during a flood. This development will increase the flooding and there will be more damage than occurs now. We should not be building in a flood zone.**

**Steve Karlson, BLP Enterprises, 23,25,27,29 and 33 Water Street on the other side of the brook. He noted he has a big concern about the impervious material being proposed. The**

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**flooding will go further into his property. This is a significant concern. The D. O. T. bridge should have been bigger.**

**Leni Herschman, 12 N. Main Street, noted she abuts the north side of this property. Back in September her property was devastated. They lost foundation walls, retaining walls when the bridge up above went out. The bank and her house were floating islands. The water just completely flooded the whole area. What will happen to her property? Everything will back up into her property. She still has no heat since the September storm. Water accumulates in her basement consistently every time it rains. There isn't a day when her property isn't wet. Ultimately, something has to be done to prevent the water from backing up into her property and Archambault's property.**

**Ray Archambault, 2 N. Main Street, noted this property will transfer ownership to the condo owners and they will become responsible for monitoring and housekeeping on that site. Those new owners will not be aware of the past and what will happen in the future. He noted this will bring some responsibility to the Town of Chester if they were to approve a situation like this knowing how bad it is.**

**Susan Wright asked if someone could explain the water gardens. When are they going to do the test holes and wouldn't that be a critical part of this. Chairman Bisacky noted he would also like to hear more about the rain gardens and how they were sized. Mr. Fedus reviewed the general detail on the plan as to how the rain gardens are constructed. They are about a foot or foot and half deep. The test pits will be done in the very near future and he will provide that information at the next meeting. Mr. Davison noted he would like to know where does the water go when it comes over the banks and how does it get back.**

**Chairman Bisacky noted the way to accomplish this is to do a water surface model of the area so that we can see the impact of the fill on the fringes of the property. Bisacky noted he would like to see a negative or positive impact on the flooding in the area. That's the question on the table. He needs to do a water surface elevation model of this area of Great Brook.**

**? 12 Water Street, noted every time the water comes it's a different scenario. The Brook gets backed up with debris. Each storm will be different.**

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Susan Wright noted the water from the roof goes into the rain garden, the water rises from the brook and at what point does it stop doing what it is supposed to do. Bisacky noted the answer to that would be from the water surface elevation model.

Tom Archambault asked if FEMA has determined what size flood the September flood was compared to 1982. Bisacky noted he wasn't sure.

Leni Herschman, 12 N. Main Street, noted from the last flood, it did change the topography of the brook. Its deeper and wider than when she bought her house. That needs to be taken into consideration when going forward. The last storm changed the course of the way that brook flows.

Steve Karlson, BLP Enterprises, reviewed the possibility of a bond once the unit owners take possession of the property.

Chairman Bisacky noted the public hearing will be continued until next month's meeting.

Chairman Bisacky called the regular meeting to order at 8:46 PM. Present were Kim Senay, Bill Bernhart, Al Bisacky, Ellie Wahlberg, Sally Sanders, Bob Blair and Eric Davison.

**2. Minutes – February 4, 2019**

*Motion by Wahlberg, second by Bernhart, to approve February 4, 2019 Minutes as written. Approved with Bisacky abstaining.*

**3. Audience of Citizens – no one offered comment.**

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

**5. Chester Airport, 61 Winthrop Road – unpermitted activity within review area  
No further activity, items were tabled.**

**7. #19-01 Mingolello, 9 Water Street – Mixed Use Development**

**Public Hearing was commenced immediately prior to this meeting and was continued until the next meeting.**

**8. #19-03 Aaron Manor, S. Wig Hill Road, Septic System – public hearing in April.**

**Chairman Bisacky noted the site walk will be scheduled once the public hearing is opened.**

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**Eric Davison noted for the record he was working on a project with Bob Russo although has not met Mr. Russo. Would he have to recuse himself? Chairman Bisacky noted a recusal usually happens if there is a financial gain. Mr. Davison will decide before the next meeting. A representative of Aaron Manor asked if a site walk could be held before the public hearing. He noted everything will be staked out. Chairman Bisacky suggested postponing the site walk until the hearing is opened.**

**9. #10-13 Scrivo/Robida, 20 Gilbert Hill – transfer and extension of permit**

**Sally Sanders noted Anna Sweeney had talked to Darcy Winter from DEEP and all that was needed was a letter requesting this be transferred. Bisacky read said letter into the record.**

**10. #19-05 Heidi Samuelson, 191 West Main Street – driveway/right of way in review area  
Gary Pipkin read into the record a letter regarding this matter. Mr. Pipkin reviewed the map of the property and the driveway/right of way. Chairman Bisacky noted he would like to see how the driveway is going to be constructed and location of silt fence, etc. He will submit additional information before the next meeting.**

**11. #19-06 Ray Young, 173 W. Main Street – demolition and new plan**

**It is noted Mr. Young was not ready yet to submit an application. Item tabled.**

**12. Regulations and Map Modifications – nothing further to report.**

**13. Wetland Compliance Officer Report**

**Anna Sweeney, Wetlands Compliance Officer Report, submitted a letter received from 21 Deep Hollow on how to proceed to clean the debris out of the brook.**

**14. Correspondence – none.**

**15. Receipt of Applications After Posting of Agenda – none.**

**16. Any Other Business – none.**

**17. Adjournment**

***Motion by Davison, second by Bisacky, to adjourn at 9:09 PM. Unanimously Approved.***

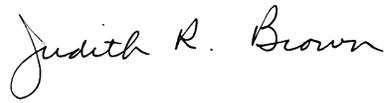
**Respectfully submitted,**

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A handwritten signature in cursive script that reads "Judith R. Brown". The signature is written in black ink and is positioned above the typed name.

**Judith R. Brown, Recording Secretary**