

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

Chester Inland Wetlands & Watercourses Agency
Regular Meeting, September 9, 2019
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1. Call to Order

The Chester Inland Wetlands & Watercourses Agency held its regular meeting on Monday, September 9, 2019, at the Chester Town Hall, 203 Middlesex Avenue, Chester, Connecticut. In attendance were Al Bisacky, Bob Blair, Bill Bernhart, Eric Davison, Kim Senay and Ellie Wahlberg. Anna Sweeney, Wetlands Compliance Officer, was also present. Chairman Bisacky called the meeting to order at 7:00 PM.

2. Minutes – August 5, 2019

Motion by Bernhart, second by Blair, to approve August 5, 2019 Minutes as written. Approved with Senay and Wahlberg abstaining.

3. Audience of Citizens – none.

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

Agenda items 4 and 5 were tabled, waiting for DEEP report.

6. #19-03, Aaron Manor, S. Wig Hill Road - Septic System

Chairman Bisacky noted there was an extensive discussion regarding this item at the last meeting with potential conditions. Attorney Bennet has reviewed these conditions.

Motion by Bernhart, second by Blair, to approve Application #19-03 Aaron Manor with the following reasons for approval and conditions:

- 1) The decision is based on evidence presented working through the public hearing process.
- 2) It was determined there was no prudent or feasible alternative.
- 3) The proposal would not have a negative impact to wetlands or watercourses other than the impacts stated in the application.
- 4) The 10 draft conditions as stated here are part of the approval.

Prior to issuance of an Inland Wetlands and Watercourses permit all the following conditions for approval must be satisfactorily met as determined by the Agency or its designee.

1. The wetland crossing may be used by vehicles of any sort for the following purposes only:
 - a. Initial construction of the septic leach field and appurtenant piping as shown on the drawings submitted with the application as they may be revised and duly approved to conform with the Conditions of Approval (Plans). The period for such construction shall be limited to June through October (inclusive) of a calendar year.

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- b. Periodic inspection of the leach field and appurtenant piping and / or internal inspection or cleaning of said piping shall be allowed as necessary to ensure the satisfactory operation and functioning of the leach fields.
- c. Access to complete maintenance or repair activities that require the soil excavation of any kind shall not be undertaken until notification is provided to the Agency or its designee.
- d. Access that requires reconstruction or replacement of the leach fields may only be accomplished after submission of an Inland Wetlands and Watercourses permit application and approval thereof regardless of where such work may be located with respect to the inland wetland boundaries or review areas. A condition of such approval may include revised crossing access limitations.
- e. Access to perform mowing or clearing activities on the extents of the leaching field or within the inland wetland boundaries or review areas are permitted only between November 1st and December 31st.

The requirements of this Condition number 1 shall be included as a deed restriction on the subject parcel and recorded in the Chester Land Records. A drawing that shows the location of the crossing, the leach field and appurtenant piping and these access limitations shall be referenced by the deed restrictions and recorded in the Chester Land Records.

2. Provide a design plan for the construction of Infiltration Practice and / or Water Quality Practice designed in accordance with the 2004 Connecticut Stormwater Quality Manual (CTDEEP, 'Manual'). The Practice(s) selected shall be sized to accommodate the runoff from the parking area north of the entrance driveway to the main Aaron Manor facility and closest to South Wig Hill Road. The Practice(s) selected shall be design and constructed in full compliance with the Manual. The Practice(s) may be located so that it accepts runoff from larger area(s) than this minimum requirement. If a Practice is designed to receive runoff from an area larger than the minimum requirement it shall be designed and constructed to be in full compliance with the design requirements of the Manual for the full contributory drainage area. The design plans for this Condition Requirement shall be submitted to the Agency for review and approval. Such approval may require design reviews to be performed by a consultant to the Agency. Such reviews shall be paid for by the permittee in a manner and to the extent consistent with a review consultation described by the Chester IWWA regulations. The work described by this Conditional Requirement shall not be considered a separate permit activity and no application fees shall be required. The full construction and implementation of the Infiltration Practice(s) and / or Water Quality Practice(s) required by this Condition Requirement shall be completed no later than the commencement of construction activities for the septic system replacement.

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3. Revise the Plans to show the proposed location for the force main clean-out outside of the limits of the wetlands as shown on the plans. The force main shall be located below the ground surface for its entire length.
4. Revise the construction details for the force main so that all the details are coordinated and consistent with each other and the plan and profile drawings provided in the Plans. The design intent of these details should be to provide a double-walled pipe conveyance throughout the extent of the wetland boundaries and to 25-feet beyond.
5. Revise the turnaround at the leach field as shown on the Plans to be a hammerhead configuration to reduce footprint of the fill to the extent practical.
6. Provide a restoration plan to show how the area of the existing septic system will be restored once the new septic system is substantially complete and operational.
7. Submit a plan for relocation of box turtles to be implemented prior to and during construction activities.
8. Submit a plan for monitoring of the restoration plantings. Such plan shall include the requirement that any and all plants deemed to be in less than good condition or health be replaced on a one-for-one (or greater) basis for the duration of the monitoring plan. The plan shall include provisions to allow the field review of the plantings by the Agency or its designee until successful conclusion of the monitoring period. The monitoring period shall extend for no less than three years after the replacement of any original or replacement planting.
9. Provide a plan for mowing and maintenance activities for the area on and around the leach fields, including the areas within the inland wetland boundaries, review areas and adjacent areas.
10. Provide a construction cost estimate for all work of this permit, including the crossing construction, septic system construction, parking lot water quality practices, and restoration of all disturbed areas. This estimate shall be the basis of a construction bond that shall be provided to the satisfaction of the Agency prior to the commencement of any construction activities.

Discussion of the motion continued.

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Chairman Bisacky noted two things discussed at the last meeting but not reflected in the conditions were the Conservation Easement (did not provide any addition protection) and monitoring the system as this is done by the Health District.

Bill Bernhart noted he was pleased the conditions included the recommendations of the Conservation Commission. Access for mowing would be after November 1st to December 31st. Bob Blair noted the roadway would only be used for maintenance and inspection of the system after it's constructed.

Eric Davison noted the complicated part of this is #2. Chairman Bisacky noted these conditions are written so that the permit is not issued prior to the Commission reviewing and approving all plans. All conditions must be met as determined by the Commission. It should also meet the 2004 Stormwater Manual.

Also included is the Agency can require a design review by a consultant, such as Jacobson.

Chairman Bisacky briefly summarized the 10 conditions stated above.

- 1) Covers the wetland crossing and limits use to the construction and maintenance of the leach field and limits use of the crossing to mowing the field between November 1st and December 31st. This condition also needs to be recorded in the Chester Land Records as a Deed Restriction along with a map showing the work and access points.
- 2) Mitigation of direct impacts to provide one or more Best Management Practices to improve storm water quality runoff from the parking lot that is to the north and near the access driveway south of Wig Hill Road.
- 3) Provide plans to show force main cleanout is beyond the limits of the wetlands and located below the ground surface.
- 4) Provide details for the force main that are coordinated and consistent with each other and to provide for double walled pipe throughout the extent of the wetland and beyond 25 feet.
- 5) To revise the turnout leaching area to be a hammerhead as opposed to a circular configuration.
- 6) To provide restoration plan to show how the area of the existing septic system will be restored.

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7) Submit a plan for relocation of the box turtles to be implemented prior to and during the construction activities.

8) Submit a plan for monitoring the restoration plantings at the leaching area as shown on the plans, requirement to survive 3 years past installation or any replacement planting.

9) Provide a plan for mowing and maintenance activities in the field area.

10) Provide a construction cost estimate for all work in this permit including the crossing construction, septic system construction, parking lot, water quality practices and restoration of all disturbed areas. This estimate shall be the basis for the construction bond that should be provided to this Agency prior to commencement of any construction activities.

Motion on the table was amended as follows – Motion by Bernhart, second by Blair, to approve #19-03 Aaron Manor, with conditions and reasons for approval, amended to include Condition 8, Monitoring of the restoration plantings at the leaching area of the new septic system.

VOTE ON THE MOTION: Approved with Senay abstaining.

7. #19-10 Chester Creek Dredging Application

Joel Severance, Harbor Management Commission Chairman, noted he apologized for the recent article in the Valley Courier which did not depict correctly what he has said. Mr. Severance noted the CT Port Authority has given tentative approval subject to the final approval. There has been a lot of staff turnover in the Authority recently and final approval has been delayed. He submitted a letter from DEEP that verifies the project has received approval from DEEP. As a result of that, they are working on submitting a Certificate of Permission to DEEP outlining everything (how clear the soil is, where it will go, how much acreage it will take up, etc.). Mr. Severance distributed copies of the map showing the area for deposition of the spoils. Eric Davison asked how we know there are no wetlands where the spoils will be placed. Severance indicated this is the 5th time this property has been used and it's the exact same location. He reviewed how the spoils get to the property.

Chairman Bisacky noted Docko had submitted information and a map to DEEP and once approved by them, the Agency should get a copy.

Eric Davison reiterated the Agency needs to know this material will not be deposited into a wetland.

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There was discussion regarding the submission of a Certificate of Permission and maps prepared by Docko, as well as previous dredging by Chester Point Marina. Chairman Bisacky reiterated the Agency must have a map showing where the spoils will be deposited.

Motion by Davison, second by Bernhart, to approve #19-10 Chester Creek Dredging with the condition that Docko confirm the dredge spoils will not be placed in any non-floodplain wetland areas and submit a map showing the location of the deposited spoils. Unanimously Approved.

8. #19-11 Main Street Improvement Project, Phase 3, activity in review area

Aaron Mortensen with N. L. Jacobson spoke on behalf of the Town of Chester for the Main Street Phase 3 Improvements Project. He distributed a set of plans and reviewed the grading and utility sheets. He indicated Phase 3 consists of roadway reconstruction, 600 linear feet and 200 linear feet up Spring and Maple Streets, replacement of existing sidewalks, adding site lights, trash cans, bike racks, modifying parking layout and adding a plaza area, improving the Chester Wall and adding a hand rail and guide rail, adding new storm drainage system. There will be no additional impervious area, just replacing what's there with new and improved. No modification to the existing drainage path, no increase in flow volumes or flow rates. He reviewed drainage patterns which currently drain into the Pattaconk Brook behind all the buildings. Mortensen reviewed the wetlands area and 100' review area identified by Rich Snarski, Soil Scientist. A new stormwater quality manhole will be installed. A few roof leaders off the buildings will be picked up and discharged off to the Pattaconk Brook. The stormwater quality structure was reviewed. Construction will be done in phases. He indicated access for all merchants was very important. They will work on one side of the road at a time and then move to the other side.

Aaron Mortensen noted he will review the location of the outfalls. Chairman Bisacky asked Mr. Mortensen to look into the potential for a manhole between the 2 sumps. Eric Davison asked what is being done to the flagpole circle. Mortensen noted the hydrant is being relocated to the east and the wall is being repaired to make a full circle.

Eric Davison reviewed the erosion at the rear of the Maple Street Parking Lot. Mortensen noted they will be adding drainage to the parking lot and he will look into the erosion issue.

Chairman Bisacky noted this application will be on the Agenda for the October meeting.

It is noted for the record there was nothing on the tape recording for the remainder of this meeting. Everything after this has been added from notes received from the Wetland Compliance Officer.

9. #19-12 Angela Ruel – lot development as per previous Permit #14-01

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No one was present. The application was received. Commission members will visit the site on their own.

10. #19-13 Heidi Samuelson, 191 W. Main, modification of #19-05
A site walk was scheduled for September 25th, Wednesday at 6 PM, 187 W. Main Street.

11. Regulations and Map Modifications

12. Correspondence

13. Receipt of Applications After Posting of Agenda

14. Any Other Business

15. Adjournment

There being no further business, the meeting adjourned at 8:37 PM.

Respectfully submitted,

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

Judith R. Brown, Recording Secretary