

**Inland Wetlands and Watercourses
Minutes of Public Hearing & Regular Meeting**

November 18, 2015

The Inland Wetland Commission held a Public Hearing and Regular meeting on November 18, 2015 in Council Chambers of Town Hall, Stratford, CT.

Members Present: R. Hojdich, W. McCann, Alternate J. Waite, T. Fahy, D. Blake

Members Absent: V Massey, E. Scinto, J. Tucciarone, A. Schlager

Others Present: Christina Batoh, Conservation Administrator

Call to Order: Chairman Hojdich called the meeting to order at 7:03 p.m.

Items submitted into record as of this date:

**SUPPORTING DOCUMENTS SUBMITTED DURING PUBLIC HEARING FOR IWWA #2015-4
450 James Farm Road**

Public Hearing IWWA - #2015-4 Date: September 16th, 2015 Detailed List of Exhibits Submitted during the Public Hearing	
Exhibit Identification	Detailed Description
A	IWWA Application #2015-4 prepared by Rose, Tiso & Company. Application was signed on July 15 th , 2015.
B	Site Development Plans entitled, "Resubdivision of Property located at #480 James Farm Road and #450 James Farm Road, Stratford, Connecticut" prepared by Rose, Tiso & Company, LLC. Sheets Ex-1, revised on November 17 th , 2008, SP-1 & SP-2 dated April 28, 2015, and SP-3, SP-4, SP-5, SP-6, SP-7, & SP-8 revised on February 18, 2015.
C	Site Engineering Design Report entitled "Proposed Housing Development, Stratford, Connecticut, Job No. 0782," prepared for Cummings Enterprises, Inc. by Rose, Tiso, & Company, LLC dated June 11, 2015.
D	Staff Comments #1- IWWC Application #2015-4: Construction of five single-family homes with associated sewer and drainage infrastructure. Site Address: 450 James Farm Road, Stratford, Connecticut. Assessor's Reference: Map 50.00 Block 4 Lot 9. Applicant: Cummings Enterprises, Inc. <i>Sent to applicant via certified mail on July 21, 2015.</i>
E	IWWC Application #2015-4 prepared by Rose, Tiso & Company. Application was signed on June 15 th , 2015. <i>Revised and resubmitted on August 6th, 2015.</i>

F	Site Development Plans entitled, "New Housing Development prepared for 450 James Farm Road, Stratford, Connecticut" prepared by Rose, Tiso & Company, LLC. Sheets SP-1 through SP-8 were <i>revised on August 5th, 2015 and resubmitted on August 6th, 2015.</i>
G	Site Engineering Design Report entitled "Proposed Housing Development, Stratford, Connecticut, Job No. 0782," prepared for Cummings Enterprises, Inc. by Rose, Tiso, & Company, LLC dated June 11, 2015. <i>Revised and resubmitted on August 6th, 2015.</i>
H	Response to Staff Comments #1 sent to applicant on July 21 st , 2015. Response is dated July 29 th , 2015 and was prepared by Manuel Jose Silva, P.E., Civil Engineer with Rose, Tiso, & Company, LLC.
I	Delineation and functional assessment of wetlands entitled "Wetland Delineation and Functions and Values Assessment, 450 James Farm Road, Stratford, CT." Assessment is dated August 5 th , 2015 and was prepared by Michael S. Klein (Registered Soil Scientist and Certified Professional Wetland Scientist) of Environmental Planning Services.
J	Completed "State Inland Wetlands & Watercourses Activity Reporting Form."
K	Draft of legal "Conservation Easement" prohibiting activities in the 50 foot wide area as shown on the map entitled "Resubdivision of Property Located at #480 James Farm Road and #450 James Farm Road." Map was prepared by Rose, Tiso, & Company, LLC and revised on November 17 th , 2008.
L	Certified Mailings of Applicant noticing Public Hearing to adjacent property owners.
M	Intervention petition dated September 15 th , 2015 filed by Richard J. Ezyk - 570 James Farm Road, Stratford, Connecticut.
N	Information submitted into the Record by Richard J. Ezyk on September 16 th , 2015 including: i) Technical comments on IWWA #2015-4, ii) Exhibits RJE #1 through RJE #9.
O	"Environmental Comments" prepared by Stephen Danzer, PhD of Stephen Danzer, PhD & Associates LLC, Wetlands & Environmental Consulting. Comments are dated September 12 th , 2015 and were submitted into the Record by Meral Prewitt (of 575 Peters Lane) on September 16 th , 2015.
P	New York Times article authored by Kirk Johnson, published on September 10, 1992, and entitled "28 Graves Giving up Secrets of the 1700's," submitted into the Record by M. Prewitt on September 16 th , 2015.
Q	Historical Documentation- First Stratford African-American Community established on James Farm Road, submitted into the Record by M. Prewitt on September 16 th , 2015.
R	Letter to Commissioners and Ms. Batoh, dated September 16 th , 2015, regarding IWWC Application #2015-4 submitted into the Record by M. Prewitt on September 16 th , 2015, on behalf of the Concerned Citizens Group.
S	Comments and signatures of concerned citizens, submitted into the Record by M. Prewitt on September 16 th , 2015.
T	Comments submitted into the Record by Robert Smith of 135 Pepper Ridge Circle, Stratford, CT, on September 16 th , 2015.
U	Notice of Public Hearing in the Connecticut Post on September 2 nd , 2015 and September 11 th , 2015.

**Detailed List of Exhibits Submitted during the Continued Public Hearing
October 21st, 2015**

V	Staff Comments #2- IWW Application #2015-4: Construction of five single-family homes with associated sewer and drainage infrastructure. Site Address: 450 James Farm Road, Stratford, Connecticut. Assessor's Reference: Map 50.00 Block 4 Lot 9. Applicant: Cummings Enterprises, Inc. Sent to Attorney Stephen Bellis via certified mail on October 13 th , 2015 and received on October 16 th , 2015.
W	Letter addressed individually to Conservation Administrator and Inland Wetlands and Watercourses Commissioners, from R. Smith, 135 Pepper Ridge Circle. Letter is dated October 6 th , 2015.
X	Site Development Plans entitled, "New Housing Development prepared for 450 James Farm Road, Stratford, Connecticut" prepared by Rose, Tiso & Company, LLC. Sheets SP-1, SP-2, and SP-3 were <i>revised and resubmitted during the continued Public Hearing on October 21st, 2015. Please note, revision dates on the plans were not updated and still read August 5th, 2015.</i>
Y	Response of Michael S. Klein (Registered Soil Scientist and Certified Professional Wetland Scientist, of Environmental Planning Services) to <i>Exhibit O</i> , "Environmental Comments" prepared by Stephen Danzer, PhD (of Stephen Danzer, PhD & Associates LLC, Wetlands & Environmental Consulting). The response of Mr. Klein is dated October 14 th , 2015.
Z	Response of Manuel Jose Silva, P.E. (Civil Engineer of Rose, Tiso & Company, LLC) to Staff Comments #2, <i>Exhibit V</i> . Response is dated October 14 th , 2015.
AA	Intervention petition dated October 21 st , 2015 filed by Lawrence A. Ciccarelli, Jr. (Acting Chief Administrative Officer, Town of Stratford), and James Cresswell (Kevin Kelly and Associates, P.C.), on behalf of the Town of Stratford.
BB	Comments of the Town of Stratford, Environmental Intervener, dated October 21 st , 2015. Document contains comments of Tim Casey, P.E. of STV Inc, as well as comments of George Logan, MS, PWS, CSE, and Sigrun Gadwa, MS, PWS, of REMA Ecological Services.
CC	Comments submitted in to the record by Sandy Higgs, on behalf of intervener, Mr. R. Ezyk, and Mrs. M. Prewitt representing the Concerned Citizens Group. The comments are dated October 21 st , 2015.
DD	Minutes from first Public Hearing for IWW Application #2015-4, dated September 16 th , 2015.
EE	Applicant letter of consent to extend Public Hearing until November 18 th , 2015. Letter is dated October 23 rd , 2015 and is signed by the applicant's agent, Attorney Stephen Bellis.

**Detailed List of Exhibits Submitted during the Continued Public Hearing
November 18th, 2015**

FF	Comments submitted in to the record by Mr. R. Ezyk regarding adequacy of applicant's storm water management system. The comments are dated November 13 th , 2015.
GG	Comments of Tim Casey, P.E. of STV, Inc., submitted to the Town Intervener, regarding material submitted to the Conservation Commission on October 26 th , 2015 by the applicant. These comments, dated November 13 th , 2015, modify the original review comments submitted by Mr. Casey.

HH	Supplemental comments submitted by George Logan, MS, PWS, CSE, and Sigrun Gadwa, MS, PWS, of REMA Ecological Services, dated November 12 th , 2015.
II	Comments submitted in to the record by Mr. R. Ezyk under the heading " <i>Underground Storage Chambers.</i> " Comments are dated November 18 th , 2015 and include calculations of storage chamber volumes.
JJ	"Environmental Comments, Response to the EPS Comments dated 10/14/15" prepared by Stephen Danzer, PhD of Stephen Danzer, PhD & Associates LLC, Wetlands & Environmental Consulting. Comments are dated November 16 th , 2015 and were submitted into the record by Meral Prewitt.
KK	Response of Michael S. Klein (Registered Soil Scientist and Certified Professional Wetland Scientist, of Environmental Planning Services) to comments of REMA Ecological Services (<i>Exhibit BB</i>). The response of Mr. Klein is dated November 11 th , 2015.
LL	Rose, Tiso, & Company response to comments of STV Inc. (<i>Exhibit BB</i>). Response is dated November 13 th , 2015, and was prepared by Manuel Jose Silva, P.E., Civil Engineer with Rose, Tiso, & Company, LLC.
MM	Site Development Plans entitled, "New Housing Development prepared for 450 James Farm Road, Stratford, Connecticut" prepared by Rose, Tiso & Company, LLC, Sheet SP-2. Sheet SP-2 has a revision date of November 13 th , 2015.
NN	Site Engineering Design Report entitled "Proposed Housing Development, Stratford, Connecticut, Job No. 0782," prepared for Cummings Enterprises, Inc. by Rose, Tiso, & Company, LLC dated June 11, 2015. <i>Revised and resubmitted on November 13th, 2015.</i>
OO	"Section 6.4 Stormwater Treatment Train" as reproduced from <i>2004 Connecticut Stormwater Quality Manual</i> , and submitted in to the record by Manuel Jose Silva, P.E., with Rose, Tiso, & Company, LLC.
PP	Comments submitted in to the record by Mr. R. Ezyk under the heading " <i>Sanitary Lift Station Technical Comments,</i> " and dated November 18 th , 2015.
QQ	Letter addressed to Mr. Ronald Hojdich, Chairman of Inland Wetlands and Watercourses Commission, from James Stone of 195 Judith Terrace, Stratford, CT. Letter is dated November 11 th , 2015.
RR	Comments submitted in to the record by Meral Prewitt representing the Concerned Citizens Group. The comments are dated November 18 th , 2015.
SS	Sections II-S10-I, II-S12-I, II-S7-I, and II-P2-I of the <i>2004 Connecticut Stormwater Quality Manual</i> entitled " <i>Hydrodynamic Seperators,</i> " " <i>Underground Infiltration Systems,</i> " " <i>Vegetated Filter Strips and Level Spreaders,</i> " and " <i>Stormwater Wetlands,</i> " respectively. Submitted in to the record by M. J. Silva.

IWWA Application #2015-4 – Construction of five (5) single-family homes with associated sewer and drainage infrastructure. Site Address: 450 James Farm Road, Stratford, Ct. Assessor’s Reference: Map 50.00 Block 4 Lot 9. Applicant: Cummings Enterprises, Inc. – Mr. Ezyk, intervenor, 570 James Farm Road, who is a Professional Engineer submitted and reviewed letter to the Commission which he entered into exhibit. Mr Ezyk referred to exhibits A, application signed on July 15th, exhibit S concerned citizens comments on September 16th,

exhibit X, Site Development Plans and exhibit G, Site Engineering Design. Mr. Ezyk noted the storage chamber volume has changed significantly since original application. He entered into record owners manual from Zoeller Pump Company.

Attorney James Creswell, Kevin Kelly & Associates, Town intervenor, submitted and discussed letter from T. Casey, STV Incorporated dated November 13th and Supplemental Responses from Rema Ecological Services LLC dated November 12th. Ms. Gadwa, Registered Soil Scientist, also discussed findings from Rema Ecological Services. Attorney Creswell discussed drainage issues entered by Mr. Casey and Mr. Ezyk and noted it is clear this plan as submitted will not protect the wetlands.

Ms. Prewitt, 575 Peters Lane submitted into evidence Assessor's Reference Map for Underground Concrete Chambers and comments from Steven Danzer, PHD & Associates, LLC.

Attorney Belis, representing the petitioner, submitted letter from Mr. Klein, Environmental Planning Services, LLC, letter to Ms. Batoh from M. Silva, Rose-Tiso & Company, site plan map drawn up by Rose-Tiso & Company and Site Engineering Design Report.

Mr. Silva, Civil Engineer, Rose-Tiso & Company, discussed storage galleries in response to concerns by Mr. Ezyk. Referring to the site map he discussed flow into wetlands and impervious areas. He also discussed underground propane tank. He referred and submitted the storm water manual from DEEP. Mr. Silva will submit into record the page from the DEEP manual.

Commissioners questioned maintenance of the system, pump, generator and sewer pump. Also discussed condo fees to cover maintenance.

Mr. Klein, soil scientist, referred to correspondence dated October 14th in response to Dr. Danzers' letter noting there is only a small patch of suburban woodland. He also referred to correspondence from Rema Ecological Services November 12th letter.

Recess: 8:35 p.m.

Public Hearing Resumed: 8:40 p.m.

Opposition:

- 1) 4918 Iroquois Lane – concerns about pump failure
- 2) 610 James Farm Road –Houses being built on less than one-acre of land
- 3) 575 Peters Lane – Concerned Citizens Group – submitted letter dated November 18th.
- 4) 480 James Farm Road

Attorney Belis mentioned that since Mr. McCann has worked with Dr. Danzer he may want to recuse himself from the vote. He also noted that it is up to the Zoning Commission to decide about the area of the five (5) townhouses. He feels there will be

no direct impact on the wetlands and actually there will be a reduction of the storm water runoff after construction. He discussed the amount of underground storage and noted that the petitioner would be willing to deposit \$5,000 into the Condo Association fund for maintenance. Lastly, he noted that underground propane tanks are not uncommon in Town.

Mr. Fahy made a motion to close the Public Hearing. The motion was seconded by Mr. McCann. The motion carried unanimously and the Public Hearing closed at 9:06 p.

Regular Meeting

Chairman Hojdich called the regular meeting to order at 9:10 p.m.

Approval of Minutes: Mr. McCann made a motion to approve the minutes of October 21st with the correction on the last page to Ms. Batoh. The motion was seconded by Mr. Blake. The motion carried unanimously.

Old Business: None

New Business: None

Staff Report: Ms. Batoh reported that Wild Things LLC will install and maintain a beaver deceiver system for approximately \$2,500.

Administrative Permits: None

Commissioner's Forum: Commissioners decided it would be a good idea to walk 480 James Farm Road prior to the next meeting.

Adjournment: Seeing no other business to discuss, Mr. Fahy made a motion to close the meeting at 9:15 p.m. The motion was seconded by Mr. Waite. The motion carried unanimously.

Respectfully Submitted,

Gail DeCilio