

APPENDIX B

Fee Paid: \$200.00

RECEIVED
Town of Cheshire

INLAND WETLANDS COMMISSION - CHESHIRE, CONNECTICUT

APPLICATION FOR INLAND WETLANDS AND WATERCOURSES PERMIT

NOV 25 2020

Pursuant to the General Statutes of the State of Connecticut, and all subsequent amendments thereto, the undersigned hereby makes application for approval of permit (Inland Wetlands and Watercourses) for a parcel of land having approximately .012 wetland acres, which is part of a tract of land having .52 acres, located on (street name) South Main Street. Said parcel is generally shown on the current Assessor's Map Plate No(s). 78, Lot No(s). 159 and is located in a(n) C-3 zone district.

This permit application is part of a: () Subdivision, () Resubdivision, () Site Plan, (✓) Special Permit, () Zone Change, () Earth Removal, Filling or Regrading, () Other

The undersigned warrants the truth of all statements contained herein and in all supporting documents according to the best of his knowledge and belief.

By signing this application, the applicant permits Commissioners and agents of the Commission to enter upon and inspect the property, at reasonable times, both before and after a final decision has been issued.

Applicant's Name Nosal Properties of South Main Street, LLC Date 11/25/2020 (Print or Type)

Applicant's Address (Home) (Office) 85 Fieldstone Court, Unit 1, Cheshire, CT 06410

Applicant's Signature Joseph Nosal

Telephone Number (Home) (Office) (203) 439-9320 x301

E-mail jnosal@nosalbuiders.com Fax No.

Owner's Name (Print or Type) Nosal Properties of South Main Street, LLC

Owner's Address 85 Fieldstone Court, Unit 1, Cheshire, CT 06410

Owner's Signature Joseph Nosal

Engineer's Name (Print or Type) Darin Overton, Milone & MacBroom, Inc.

Engineer's Address 99 Realty Drive, Cheshire, CT 06410

Engineer's Signature

Agent, if other than applicant, to be contacted with regard to this application:

Name Anthony J. Fazzone, Esq. Address Two Town Center, Cheshire, CT 06410

Telephone Number (203) 250-2222 Fax Number (203) 250-7388

E-mail afazzone@fazzoneryan.com

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APPLICATION FOR INLAND WETLANDS AND WATERCOURSES PERMIT

Purpose and description of the proposed activity (including the area of wetlands or watercourses to be disturbed); alternatives considered and why the proposal to alter wetlands set forth in this application was chosen: -510 sf (.012 ac) of total wetlands located on the property;

-75 sf (.002 ac) of direct wetland disturbance for the establishment of a new stormwater discharge point adjacent to existing CTDOT drainage outfall, removal of sediment, and reconstruction of riprap pad;

-6,300 sf (.145 ac) of disturbance within the 50' upland review area for redevelopment of existing site improvements

Applicant's interest in the land: () Owner, () Tenant, () Lessee, () Partner,
() Other _____

Please attach a list of adjacent property owners.

Check in full payment of minimum application fee – see attached fee schedule - (payable to Collector – Town of Cheshire). An additional fee shall be required if significant wetland activity is determined upon acceptance of the application. The Commission may, at its option, refund this application fee for a non-regulated activity.

NOTE: In order to expedite the review of this application, and avoid unnecessary delay, it is important that the applicant and the land surveyor and/or professional engineer who shall prepare the maps and other plans shall carefully review the Inland Wetlands Regulations to be certain that the plans comply with all requirements contained therein. Applications must be received by the Town Planner's Office by 4 p.m. the Wednesday prior to the next regularly scheduled meeting of the Inland Wetlands Commission in order for the application to be included on the filed agenda and taken up by the Commission for discussion, action or otherwise.

Per Section 7.1E. of the Inland Wetlands and Watercourses Regulations, three copies of all application materials (including maps) shall be submitted with the original application to comprise a complete application or as is otherwise directed, in writing, by the Commission.

OFFICE USE ONLY

Date Filed _____

Date Presented to Inland Wetlands Commission _____

Mandatory Action Date _____

Public Hearing Date _____

Final Action and Date _____

TOWN OF CHESHIRE

PLANNING & DEVELOPMENT DEPT.
84 South Main Street
Cheshire, Connecticut 06410
203-271-6670 • Fax 203-271-6688



To: Cheshire Inland Wetlands and Watercourses Commission

From: Commission Staff

Re: Staff Communication: Application #2020-031
South Main Street
Site Plan and Stormwater Management

Date: December 30, 2020

Attachments: Proposed Site Plan
Wetland Delineation Report

Application Proposal

The applicant seeks approval for the construction of a building and associated parking and stormwater management. The applicant calculates .002 acres (75 square feet) of disturbance within the delineated wetland area.

Application/Permit/ History for Map 78 Lot 159

An IWWC permit was issued in 1982 for the construction of the Frankies hotdog building. In April 2018 the IWWC issued a permit to Chase Bank for the demolition of existing building and construction of new building.

Staff Analysis

The subject property is bounded by the Mill River to the east with wetland soils located on the property.

The application proposes direct impacts to the wetland for the construction of a stormwater discharge. The stormwater system design seeks to improve the existing drainage system.

The 50 foot upland review area extends into the existing building. The impact to the upland review area for the building construction and parking lot installation is estimated to be .145 acres (6,300 square feet).

The plans locate silt fence surrounding the project site.



RECEIVED
Town of Cheshire
NOV 25 2020

Planning Dept.

November 23, 2020

Mr. Joseph Nosal Jr.
Nosal Properties of South Main LLC
85 Fieldstone Court, Unit 1
Cheshire, CT 06410

**RE: Wetland Delineation
Proposed Commercial Building
944 South Main Street
Cheshire, Connecticut
MMI #141.12178.00009.001x**

Dear Mr. Nosal:

On October 15, 2020, Matthew Sanford, Professional Wetland Scientist (PWS) and Registered Soil Scientist with Milone & MacBroom, Inc. (MMI)-SLR, and Aidan Barry, MS, Professional in Training, completed a wetland delineation on 944 South Main Street in Cheshire, Connecticut. Our delineation was limited to the area bordering the Mill River that is located east of South Main Street and north of Mansion Street (Figure 1). The wetland was previously flagged and delineated by Edward J. Avizinis of Natural Resources Services, Inc. on March 8, 2018. The total project area is approximately 0.52 acre, and 0.01 acre of the property is flagged as wetlands. The site consists of a bituminous parking lot, former restaurant building, ornamental landscaping, and a narrow riparian wetland shelf along the Mill River. At the time of our delineation, the existing building was being demolished. The Mill River has a designated Federal Emergency Management Agency (FEMA) floodway and 100-year floodplain (FEMA map 09009C0282J, May 16, 2017) on this property.

Inland wetlands and watercourses on the project site were delineated in accordance with the regulations of the Town of Cheshire, Connecticut, and the State of Connecticut Inland Wetlands and Watercourses Act, CGS 22a-36 through 45. Regulated wetland areas consist of any of the soil types designated by the National Cooperative Soils Survey as poorly drained, very poorly drained, alluvial, or floodplain. Regulated watercourses consist of rivers; streams; brooks; waterways; lakes; ponds; marshes; swamps; bogs; and all other bodies of water, natural or artificial, vernal or intermittent, public or private, not regulated pursuant to Sections 22a-28 to 22a-35 inclusive (tidal wetlands). State wetlands are those wetlands regulated under Connecticut State Regulation that do not meet the federal definition of a wetland. State wetlands are represented by soil types that are classified as alluvial, have a drainage class of well drained to excessively drained, and are found within a floodplain of a perennial watercourse. Federal wetlands are defined in the Clean Water Act, Section 404 as "areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions." Therefore, federal wetlands must exhibit hydrology, hydric soils, and hydrophytic vegetation while state wetlands require only the presence of alluvial/floodplain soils. Only federal wetlands were delineated on the property.

The Mill River channel within the wetland delineation area was void of surface water. The dry channel consisted of sands, silts, and intermixed cobbles. It should be noted that Connecticut was in a severe drought during the time of our delineation. Weather conditions were sunny and dry with an air temperature of approximately 60°F. Site conditions were suitable for wetland delineation work.

Soils were examined using a Dutch auger. Geospatial data was accessed via the United States Department of Agriculture – Natural Resources Conservation Service (USDA-NRCS) web soil survey mapping. The soil survey mapping is appended. The survey identified the following soil mapping units with associated NRCS map number in the project area:

- Saco (108)
- Urban Land (307)

Our field investigation confirmed the previous wetland delineations completed by others and the NRCS resource mapping. Well-drained Urban Land soils cover most of the property. Please note that upland soil series boundaries were not fully delineated during the field investigation. Along the eastern boundary of the property, the NRCS resource mapping indicates an area of very poorly drained Saco soils, and this area was delineated as wetland. The wetland boundary is represented by the flag sequence wa-1 through wa-7 (see Figure 2). An unnamed tributary to the Mill River was delineated along the eastern portion of the property and is represented by its ordinary high water line (flags ohw-4 through ohw-9) on the project plans. This tributary is located within a 36-inch reinforced concrete pipe (RCP) that flows under a commercial property located to the north and daylight on the subject property, ultimately discharging surface water into the Mill River. A riprap dissipator plunge pool was observed at the outlet of the 36-inch RCP. Surface flow was present within this tributary. It appears that the Mill River most likely suffers from low flow impairments based on the lack of surface water within the primary channel. This flow condition would preclude this segment of the Mill River from being a significant fishery resource.

The delineated wetland consists of a palustrine broad-leaved deciduous forested floodplain wetland that has very poorly drained Saco soils present. This wetland's Cowardin hydrologic classification would be seasonal flooded/saturated (E). The forested floodplain wetland is dominated by red maple (*Acer rubrum*), American elm (*Ulmus americana*), white ash (*Fraxinus americana*), and swamp white oak (*Quercus bicolor*). The scrub/shrub layer consists of silky dogwood (*Cornus amomum*), red-osier dogwood (*Cornus sericea*), northern spicebush (*Lindera benzoin*), multiflora rose (*Rosa multiflora*), Japanese barberry (*Berberis thunbergii*), Asiatic bittersweet (*Celastrus orbiculatus*), Catalpa saplings (*Catalpa speciosa*), and winterberry (*Ilex verticillata*). The herbaceous stratum is sparse and consists of blue flag iris (*Iris versicolor*), poison ivy (*Toxicodendron radicans*), ragweed (*Ambrosia artemisiifolia*), rough-stemmed goldenrod (*Solidago rugosa*), and garlic mustard (*Alliaria petiolata*).

The principal functions of the wetland include the following:

- Flood flow alteration
- Wildlife habitat
- Sediment/toxicant retention

If you have any questions regarding our delineation report, please do not hesitate to call me at (203) 271-1773 or email me at msanford@mminc.com

Very truly yours,

MILONE & MACBROOM, INC.



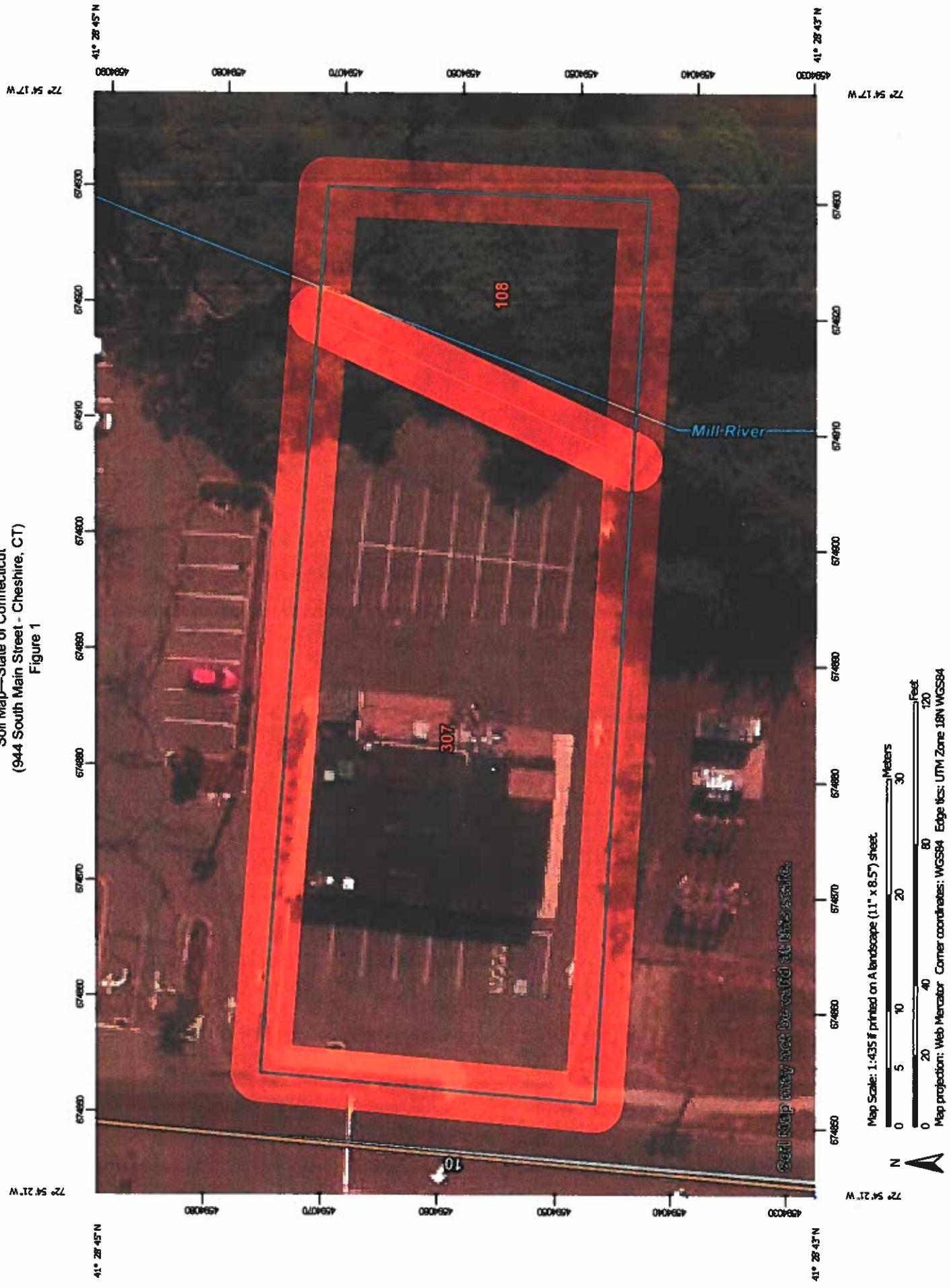
**Matthew J. Sanford, MS, PWS, Registered Soil Scientist
Manager of Natural Resources Planning**

Enclosures:

- NRCS Soil Survey Map (Figure 1)
- Wetland Flag Sequences (Figure 2)

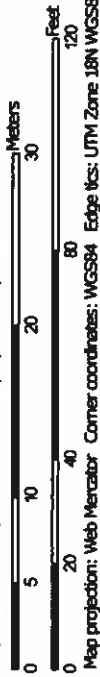
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Soil Map—State of Connecticut
 (944 South Main Street - Cheshire, CT)
 Figure 1



Soil Map may not be valid at this scale.

Map Scale: 1:435 ft printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84



Natural Resources
 Conservation Service

Web Soil Survey
 National Cooperative Soil Survey

MAP LEGEND

Area of Interest (AOI)	Spoil Area
Soils	Stony Spot
Soil Map Unit Polygons	Very Stony Spot
Soil Map Unit Lines	Wet Spot
Soil Map Unit Points	Other
Special Point Features	Special Line Features
Blowout	Water Features
Borrow Pit	Streams and Canals
Clay Spot	Transportation
Closed Depression	Rails
Gravel Pit	Interstate Highways
Gravelly Spot	US Routes
Landfill	Major Roads
Lava Flow	Local Roads
Marsh or swamp	Background
Mine or Quarry	Aerial Photography
Miscellaneous Water	
Perennial Water	
Rock Outcrop	
Saline Spot	
Sandy Spot	
Severely Eroded Spot	
Sinkhole	
Slide or Slip	
Sodic Spot	

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: State of Connecticut
Survey Area Data: Version 20, Jun 9, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 27, 2014—Jul 22, 2014

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
108	Saco silt loam	0.1	21.3%
307	Urban land	0.4	78.7%
Totals for Area of Interest		0.5	100.0%



ANCHOR

Restoration & Construction

December 23, 2020

Mr. Don Nolte, Engineering Operations Manager
Town of Cheshire
84 South Main Street
Cheshire, CT 06410

Re: Site Plan Review
944 South Main Street
Proposed Restaurant

Dear Mr. Nolte:

Anchor Engineering Services, Inc. received the following information prepared by Milone & MacBroom:

- Plan set sheets 1-8 dated December 7, 2020.
- Drainage Report dated December 8, 2020.
- Property/Topographic Survey prepared for Nosal Builders, Inc., 944 South Main Street, Cheshire, CT dated May 7, 2020.

We offer the following comments based on our review:

1. It is recommended that the calculated Water Quality Flow with the associated drainage area and total flow be added to the plans. This information can be used by the stormwater treatment structure manufacturer to ensure that the chosen model is sized appropriately in the proposed bypass configuration particularly if an alternative manufacturer is proposed during construction.
2. The FEMA mapping indicates that the 100 year flood elevation just south of the site is 155.3. Based on this elevation, the easternmost portion of the site including approximately half of the proposed building is within the 100 year floodplain. It appears that fill is proposed within this area without any compensatory excavation proposed. Any proposed cut and fill volumes should balance so as to provide a net zero increase in floodplain displacement. The applicant should demonstrate compliance with Section 46 Flood Plain Management Regulation of the Zoning Regulations for all improvements proposed within the FEMA Zone AE and adjacent Floodway on the site.
3. An Encroachment Permit from CT DOT will be required for the proposed work on South Main Street. Additional concrete sidewalk replacement may be required to maintain minimum width (4 feet exclusive of curbing) and to match proposed grading of the new parking lot adjacent to the new sidewalk. Proposed modifications to the riprap outlet of CT DOT's 36" diameter pipe and endwall will also require review and approval. It is recommended that coordination with DOT be ongoing during the Town permitting process for any required modifications.
4. It is recommended that bottom and top of wall grades be added to the plans for all proposed walls.

Mr. Don Nolte
December 23, 2020

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5. The proposed endwall and retaining wall at the existing 36" diameter pipe outlet reference matching into an existing wall along the proposed parking. With the proposed fill in this area, confirm that the existing wall height is adequate.
6. A note should be added to the plans as to whether the existing shed and bituminous paving in the southeast corner of the site are to be removed or to remain.
7. Concrete wheel stops are recommended along the angled parking spaces which are adjacent to sidewalks.
8. Include details for the proposed riprap plunge pool and sidewalk ramps.
9. There is an incorrect reference in the Sediment & Erosion Control Specifications on sheet SD-1.
10. Due to the close proximity of the existing wetlands/Mill River, the required size/height of the Filtrexx Siltsoxx should be labelled on the plans.
11. The drainage report submitted for review should be signed and sealed by a CT licensed professional engineer. The property/topographic survey plan needs to be certified by a CT licensed land surveyor. It is recommended that the FEMA mapping information for the site be added to this plan.

If you have any questions regarding the above comments, please don't hesitate to contact me at (860) 633-8770.

Sincerely,



Denise P. Lord, P.E.
Senior Civil Engineer