

**Regular Meeting**  
**Inland Wetland and Watercourses Commission**  
Tuesday, December 16, 2025 – Town Hall – Room 207/209 – 7:30 PM

**I. Call to Order**

Chairman Charles Dimmick called the meeting to order at 7:30PM.

**II. Pledge of Allegiance**

**III. Roll Call**

Tim Graver called the roll.

**Present:** Charles Dimmick, Chairman; Will McPhee, Vice Chairman; Greg Guyer  
Francisco Perez, Chuck Thompson, Tim Graver

**Absent:** Joe Davis

**Staff Member Present:** Michael Glidden, Town Planner; Lina Cortez-Frazer, Assistant  
Town Planner

**IV. Determination of Quorum**

Following roll call, it was determined there were enough members present for a quorum

**V. Approval of Minutes**

1. 12/2/2025

C. Dimmick asked for objections to approve the minutes with no corrections. There were no objections and the minutes were approved.

**VI. Communications**

M. Glidden states that a petition for a public hearing for application #2025-18 was submitted. He explains that this has been received after the statutory deadline and therefore is not valid.

**VII. Inspection Reports**

M. Glidden states that there was a report from a joint site inspection between South Central CT Regional Water Authority (RWA) and CT Department of Energy and Environmental Protection (DEEP) that was conducted at 108 Blacks Rd. M. Glidden explains that this is more of an Aquifer Protection Agency matter and not for IWWC, but figured it would be best to share with the commission. C. Dimmick asks for staff to inspect the drainage ditch on that property to make sure there are no issues with that. T. Graver suggests checking it after the next rain event.

**VIII. Enforcement Actions**

**IX. Unfinished Business**

|                          |              |
|--------------------------|--------------|
| 1. Subdivision           | APP #2025-18 |
| Birdsey Development, LLC | DOR 10/21/25 |
| Academy and Wiese Rd.    | MAD 12/25/25 |

T. Graver states that he reviewed the material and did not find any evidence of a farm dump being on the property. Ryan McEvoy, of SLR Consulting, addressed the commission. R. McEvoy explains that if there was evidence of a farm dump an LEP would identify that as part of a phase I.

C. Thompson brings up concerns from the Soil Management Plan dated August 2025. He mentions concerns of the levels of different chemicals in the soils and the mobility of them. C. Thompson asks if this strikes anyone else as a concern. M. Glidden explains that these concerns are outside of the

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jurisdiction of this commission. He states that there has been a condition added to the motion that would address these concerns. M. Glidden refers to condition #10 of the motion that states: “All recommendations for soil disturbance and lot development noted on environmental report titled “Pinnacle Land Development Soil Management Plan” prepared by WSP dated August 2025 are incorporated into this permit.

- a. Lots may be subject to remedial actions noted in the plan are to follow specific recommendations
- b. Applicant is to provide Commission staff with certification from Licensed Environmental Professional that pollutants are remediated to his/her satisfaction and that they meet the CT Deep Residential Exposure Standards
- c. Further, no certificate of occupancies are to be issued for lots subject to the work referenced above until said report is provided to staff.”

M. Glidden further states that this would protect the town, the future homeowners, and they will have documentation that this work has been completed in a proper manner. C. Dimmick explains that unless they have likelihood that these chemicals will get into the adjacent wetlands then they are limited on what they can do. M. Glidden states that staff will be going out every storm event to make sure the erosion and sediment controls are in place.

C. Thompson brings up the potential of groundwater pollution. C. Dimmick states that the court decision is that groundwater is under the purview of the Planning and Zoning Commission.

R. McEvoy explains that the conclusion of the report is that the soils essentially can be handled on site. He states that the levels of exceedances here do not result in the whole site being problematic and that there are very isolated spots that can be diluted with adjacent soils or transferring off site.

**MOTION:** T. Graver made a motion to move staff wording, seconded by G. Guyer.

**Discussion on motion:** C. Dimmick states that he understands C. Thompson’s concerns. W. McPhee mentions that once the LEP has control of the site it is their responsibility to make sure all the proper steps are being taken and being documented. T. Graver suggests having that the non-encroachment marker be on the upland review and not closer to the wetlands. He also suggests adding lot 16 to be included in the individual lot reviews.

**MOVED:** That the Cheshire Inland Wetlands and Watercourses Commission, having considered the factors set forth in Section 10 of the Inland Wetlands and Watercourses Regulations of the Town of Cheshire, information gained from the Commissioners’ knowledge of the area, and information provided by the applicant and others on this application during the public proceedings, finds the following:

1. The application is for the construction a 25-lot single family residential subdivision served by a public roadway and associated stormwater management improvements
2. Work within mapped inland wetland soils is limited to work associated with inland wetland crossing to accommodate the construction of the public roadway.
3. The applicant has demonstrated that the area of direct inland wetland soil impact is an area which was historically impacted by

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4. *A non-encroachment line has been proposed which will provide long-term buffering and protection from the residence and the limits of inland wetland soils.*
5. *Conservation and maintenance of areas associated with the development of Lot 23 and Lot 24 have been incorporated into the plans which protect and enhance areas of plant species that are of concern.*
6. *The development has a stormwater management system which will control potential long-term impacts that the build out would have on the surrounding areas but without impacting the function of the areas of inland wetland soils within the site.*

*The Commission finds that the proposed activity will not have a significant adverse effect on the adjacent wetlands and watercourses.*

*Based upon the foregoing findings, the Cheshire Inland Wetland and Watercourses Commission conditionally grants CIWWC Permit Application #2025-018, application on behalf of Birdsey Development LLC, for regulated activities at 466 Academy Road.*

*The permit is granted on the following terms, conditions, stipulations, and limitations (collectively referred to as the “Conditions”) each of which the Commission finds to be necessary to protect the wetlands and watercourses of the State and the Town of Cheshire:*

2. *Approval is based on plan titled; “Farm Meadow Preserve Residential Subdivision” prepared by SLR Consulting with a revision date of 10/07/2025.*
3. *Silt fencing or other means of erosion sediment control measures are to be installed and maintained along the limits of the work. Said measures are to be installed and inspected by town staff prior to start of site work.*
4. *Limits of disturbance are to be marked in the field and approved by town staff prior to start of site work.*
5. *No certificate of occupancy is to be issued until non-encroachment markers are installed, inspected, and approved by the commission’s staff.*
6. *Non-encroachment markings are to be installed at once every 50 linear ft as per approved plans. Said markings are to be attached to trees or posts to assure the limits are clearly delineated.*
7. *The applicant has volunteered to relocate swamp rose plants out of the area of improvement associated with the roadway’s wetland crossing. Said plants are to be replanted within areas of inland wetland soils and are permitted by this approval. All work associated with plant’s removal and replanting will be conducted by hand. No machinery is required to complete this work.*
8. *Site development plans for Lot 23 will incorporate recommendations provided by REMA consulting with regards to driveway/access way which would help mitigate any long-term impacts that the construction of this driveway would have on adjacent areas of inland wetland soils.*
9. *The Commission will require review and approval of development plans for the following lots: Lot 8, Lot 10, Lot 16, Lot 18, Lot 20, Lot 23, Lot 24, and Lot 25.*

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113 10. A conservation and maintenance easement will be required for Lot 23 and Lot 24. The purpose of  
114 this easement to provide protection of the area of which a species of concern was observed by  
115 REMA consulting. These lots will be subject to the following additional conditions:

- 116 a. The species of concern identified in this area is the willow aster.
- 117 b. No certificate of occupancy will be granted until such time that said conservation and  
118 maintenance easement for these lots is filed and executed on the Cheshire Land Records.
- 119 c. Said language of easement is be reviewed and approved by Town staff and Counsel prior  
120 to filing on the land records.
- 121 d. The property owners of Lot 23 and Lot 24 will be responsible for mowing of these areas  
122 at a high of four (4) inches once every two years.
- 123 e. Easement language should require biannual reporting of mowing activities referenced  
124 above from the homeowners to the commission.

125 11. All recommendations for soil disturbance and lot development noted on environmental report  
126 titled “Pinnacle Land Development Soil Management Plan” prepared by WSP dated August 2025  
127 are incorporated into this permit.

- 128 a. Lots may be subject to remedial actions noted in the plan are to follow specific  
129 recommendations
- 130 b. Applicant is to provide Commission staff with certification from Licensed Environmental  
131 Professional that pollutants are remediated to his/her satisfaction and that they meet the  
132 CT Deep Residential Exposure Standards
- 133 c. Further, no certificate of occupancies are to be issued for lots subject to the work  
134 referenced above until said report is provided to staff.

135 12. Approval is for the regulated activities as noted on the approved plans. Work beyond the scope  
136 this permit will be considered a violation of the permit and subject to immediate enforcement  
137 action by the Commission.

138 **Motion was approved 5-1-0.**

139 **2. Approval of 2026 Meeting Dates**

140 The commissioners talk about the proposed meeting dates for 2026. C. Dimmick suggests changing  
141 November 3 be changed to November 5 to avoid election day. He also suggests only having one meeting  
142 in December and August.

143 **MOTION:** C. Dimmick made a motion to approve the 2026 meeting dates, subject to the amendments.

144 **Motion was passed unanimously by commission members present.**

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146

147 Attest: Colleen Costello