

Regular Meeting
Inland Wetland and Watercourses Commission
Tuesday, July 7, 2026 – Town Hall – Council Chambers – 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; Tim Graver, Chuck Thompson, Greg Guyer, Francisco Perez

Absent: Joe Davis

Staff Member Present: 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. 6/16/2026

C. Dimmick asks for objections to approve the minute with no corrections. There were no objections and the minutes were approved as received.

VI. Communications

VII. Inspection Reports

VIII. Enforcement Actions

IX. Unfinished Business

1. Site Plan

APP #2026-009

869 West Main St. Associates

DOR 5/5/2026

West Main St. and Mountain Road

MAD 7/9/2026

MOTION: W. McPhee makes a motion to move staff wording of the Resolution of Denial, seconded by G. Guyer.

Discussion on motion:

W. McPhee explains that after reviewing all of the record he had determined that there was conflicting information. He states that he believes that the changing of the surface water drainage is impacting the wetlands. The soil scientist had said that it was only groundwater that would affect the wetlands. However, in the report there is contradictory evidence to that.

T. Graver brings up Section 1.6 of the IWWC regulations and states that the commission is authorized to deny permits if the activities to be conducted impacts or affects wetlands and/or watercourses. He states that this proposal will impact the function of the wetland. T. Graver brings up that with the retaining wall any surface water runoff that was feeding the northern wetlands is being redirected. He mentions that at the public hearing it was asked what the impact is of the retaining wall and the answer given was that there is no impact and that the northern wetland is fed through groundwater. However, in the SLR report it states that this wetland is fed by surface water runoff. Therefore, this proposal does have an impact on the wetlands.

F. Perez and G. Guyer state that they agree that the wetlands will be impacted by this proposed project.

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MOVED: WHEREAS, the Inland Wetlands and Watercourses Commission of the Town of Cheshire (“Commission”) has received, reviewed, and considered Application No. 2026-009 for regulated activities associated with the proposed Gateway Residential Development, a seventy-four (74) unit affordable housing development and associated site improvements located at 869 West Main Street, Cheshire, Connecticut (“Subject Property”); and

WHEREAS, the Subject Property consists of approximately 10.77 acres identified as Map/Block/Lot Nos. 49-72, 49-76, and 49-301 and contains upland areas, previously disturbed areas, open space areas, and inland wetland resources located primarily within the central and southern portions of the property; and

WHEREAS, the Commission has reviewed the application materials, including site plans, civil engineering plans, drainage and stormwater reports, hydrologic and hydraulic calculations, soil scientist reports, wetland delineation information, agency memoranda, applicant responses, and testimony presented at the duly noticed public hearing held on June 2, 2026; and

WHEREAS, the Commission acknowledges that the public hearing was closed following inquiry by the applicant’s representative confirming that all questions of the Commission had been addressed; and

WHEREAS, the Subject Property contains inland wetland resources providing functions and values including groundwater interaction, sediment retention, nutrient removal, wildlife habitat, flood storage, and ecological support; and

WHEREAS, the proposed development includes residential buildings, parking areas, sidewalks, utilities, grading, retaining walls, stormwater management facilities, drainage infrastructure, and related site improvements that will substantially alter existing upland drainage patterns through grading, impervious surfaces, stormwater collection systems, infiltration basins, and level spreaders; and

HYDROLOGIC FUNCTION AND WETLAND IMPACT FINDINGS WHEREAS, the applicant’s Wetland Report identifies the Upper Wetland as primarily supported by stormwater runoff from surrounding upland slopes, while testimony presented during the public hearing characterized the same wetland as being primarily groundwater-fed; and

WHEREAS, the record contains inconsistent and unreconciled descriptions of the hydrologic regime supporting the wetland system; and

WHEREAS, the Commission finds that, due to the proposed alteration of upland drainage patterns, including grading, impervious surfaces, and stormwater collection and discharge systems, the Applicant has not adequately demonstrated that the existing quantity, timing, distribution, and duration of hydrologic inputs necessary to sustain wetland functions will be maintained; and

WHEREAS, while engineering analyses demonstrate compliance with peak runoff rate requirements, the analyses do not sufficiently evaluate potential impacts to wetland hydroperiod, soil saturation, or diffuse surface-water contributions, which are identified in the record as critical to wetland function; and

WHEREAS, based on the evidence in the record, the Commission cannot conclude that the proposed regulated activities will avoid adverse impacts to inland wetlands and watercourses or their functions and values; and

BURDEN OF PROOF FINDING

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WHEREAS, pursuant to Connecticut General Statutes §22a-41 and the Town of Cheshire Inland Wetlands and Watercourses Regulations, the burden rests with the Applicant to demonstrate that proposed regulated activities will not have a significant adverse impact on inland wetlands or watercourses; and

WHEREAS, the Commission finds that the Applicant has not met this burden due to unresolved inconsistencies and insufficient evidence in the record regarding wetland hydrology and functional impacts; and

FINAL FINDING WHEREAS, based on the record as a whole, the Commission finds that it cannot conclude that the proposed regulated activities will not have a significant adverse impact on inland wetlands or watercourses; and

NOW, THEREFORE, BE IT RESOLVED that the Inland Wetlands and Watercourses Commission of the Town of Cheshire hereby DENIES Application No. 2026-009, Gateway Residential Development, for regulated activities proposed at 869 West Main Street, Cheshire, Connecticut, based on the Commission's finding that the Applicant has not met its burden of demonstrating compliance with the standards of the Town of Cheshire Inland Wetlands and Watercourses Regulations and Connecticut General Statutes §22a-41.

Motion was passed 4-0-2.

2. Site Plan	APP #2026-01
Blackberry Woods LLC	DOR 6/16/2026
Blackberry Place Lot 30	MAD 8/20/2026

Ryan McEvoy, of SLR Consulting, addressed the commission. R. McEvoy explains that there will be minor grading in the upland review area.

MOTION: T. Graver made a motion to move staff wording, seconded by W. McPhee.

MOVED: The Commission finds that the proposed regulated activities are limited to the regulated upland review area, that no direct disturbance of inland wetlands or watercourses is proposed, and that the proposed activity will not have a significant adverse impact on inland wetlands or watercourses pursuant to Section 22a-41 of the Connecticut General Statutes and the Cheshire Inland Wetlands and Watercourses Regulations.

Motion was passed unanimously by commission members present.

3. Request for Bond Release — 106 Stonebridge Ct.

L. Cortez-Frazer explains that she took a ride through the property and says that erosion controls are in place and being monitored. She states that she is satisfied, and the bond can be released.

MOTION: W. McPhee made a motion to release the bond for 106 Stonebridge Ct., seconded by G. Guyer.

Motion was passed unanimously by commission members present.

X. New Business

1. Site Plan	APP #2026-012
Blackberry Woods LLC	DOR 7/7/2026

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115 Blackberry Woods Lot 1 **MAD 9/10/26**

116 Ryan McEvoy, of SLR Consulting, addressed the commission. R. McEvoy explains that there are some
117 regulated activities associated with the driveway and some minor grading in the upland review area. W.
118 McPhee asks where the non-encroachment markers are being placed, R. McEvoy states that they are
119 being placed along the existing tree line.

120 The commission instructs staff to draft a motion.

121 2. Request for Determination **DOR 7/7/2026**
122 Kelly's Farm LLC
123 Academy Rd. and Wiese Rd.

124 Ryan McEvoy, of SLR Consulting, addressed the commission. R. McEvoy explains that they had
125 previously gotten approval from this commission for a subdivision at this property. He states that they are
126 seeking a determination for an indoor event venue and the parking associated. There are no regulated
127 activities that will occur with this proposal and everything will be located outside of the upland review
128 area.

129 C. Thompson brings up that there were elevated concentrations of chemicals in some areas. W.
130 Cunningham of 81 Woodpond Road addressed the commission. He states that he spoke with the engineer
131 and they are complying with everything DEEP has asked of them. C. Thompson asks if there is any
132 evidence of active migration of these chemicals is occurring. R. McEvoy explains that any the areas of
133 concern are not part of the current application and will remain in the agricultural section of the farm.

134 **MOTION:** W. McPhee makes a motion that based on the information provided that it is de minimis and
135 an application is not needed based on the context of the regulations. Seconded by G. Guyer.

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

137 **XI. Adjournment**

138 C. Dimmick adjourns the meeting at 8:26PM.

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141 Attest: Colleen Costello