

**INLAND AND WETLANDS COMMISSION
REGULAR MEETING**

May 5, 2010

Commission Chair Mary Davis called this meeting to order at 6:00 P.M. with the following in attendance:

MEMBERS:

Mary Davis, Chair
Joseph Bakstis, Vice Chair
Sally MacKenzie, Secretary,
Jeff Hayden
Lars Johnson

OTHER:

Keith Rosenfeld, Town Planner, WEO
Wayne Zirolli, Borough Engineer
Attorney Edward Fitzpatrick
Attorney N. Warren Hess
Sheryl Kimiecik, Secretary
Public 4

1. Commissioner Davis took attendance and noted there was a quorum. She opened the meeting with the Pledge of Allegiance.
2. **VOTED:** Unanimously on a motion by Joseph Bakstis and seconded by Sally MacKenzie to enter into the executive session at 6:05 P.M. to meet with Borough Attorney Fitzpatrick regarding site plan for Manuel Preta. Keith Rosenfeld was invited in. The Commission exited the executive session at 6:45 P.M.

Commissioner Davis reconvened the regular meeting at 6:48 PM. At this time she asked the Public Hearing applicants for permission to move to New Business, item number 5A on the agenda, Commission discussion/decision and determination of significant activity for regulated activities associated with a Special Permit for a Conservation Area located on Gunntown Rd.; Applicant Borough of Nauagtuck IW (#10-02). There were no objections and the meeting discussion was moved to item 5A.

3. There was no public comment.

4. **OLD BUSINESS**

- A. Report from Borough Engineer regarding storm water/drainage issues located within the Union City Road neighborhood.

Wayne said that there is no new action and asked the Commission if they wanted to do an application. The Commission agreed that an application should be done. Wayne said he would prepare the application and then once it is approved he can do a work order through the Street Department.

- B.** Commission discussion on Inland Wetland Violation for activities at 40 Trout Brook Drive, Barbara Sanders.

Ed Sanders of 40 Trout Brook Drive spoke to the Commission on behalf of Barbara Sanders. He said as far as violations he pulled out all of the old material, has grass and bushes in place, and there has been no erosion throughout the winter. Mr. Sanders continued to say Keith visited the site about three weeks ago.

Commissioner Davis referenced a letter to Barbara Sanders dated April 8, 2010 which Keith explained was just reminding them that work needed to be done. Keith said he spoke to Ed and then went out to visit the site. He saw that the bushes had grown, the disturbed area had been weeded over, there is no drainage coming off the site and no erosion, and that it appears that everything is starting to take hold. Sally asked about the tarps that had been put in place in the fall and Mr. Sanders responded that they were taken off per Romans recommendation. Keith said he would like to monitor the site through the spring and summer and encouraged Mr. Sanders to go ahead and add more plantings and rocks. Mr. Sanders asked if the violation could be removed. Commissioner Davis asked Keith to prepare a report for the next meeting and asked to keep the item on the agenda for the June 2, 2010 meeting.

- C.** Commission discussion/decision and determination of significant activity for regulated activities associated with Paddock Ridge Subdivision, a proposed 13 Lot subdivision (IW #09-09) located at the end of King Street, Applicant: Manuel N. and Carole J. Vieira.

The hearing was tabled to the June 2, 2010 meeting.

- D.** Commission discussion/decision for regulated activities associated with the construction of a school bus facility (IW #10-01) located at the intersection of South Main and Hothchkiss Streets (Former Cam Motors Dealership); Applicant PAR Holdings, LLC.

The hearing was tabled to the June 2, 2010 meeting.

- E.** Commission discussion/decision on Inland Wetland Violation occurring at 815 Maple Hill Road, Naugatuck, CT involving trees being clear cut, land being disturbed and a pond being dug within wetlands and an intermittent watercourse without erosion controls as reported by the Assistant Wetlands Enforcement Officer, Owner: Matthew and Tracy DeBarber.

The hearing was tabled to the June 2, 2010 meeting.

5. **NEW BUSINESS**

- A. Commission discussion/decision and determination of significant activity for regulated activities associated with a Special Permit for a Conservation Area located on Gunntown Rd, IW (#10-02); Applicant: Borough of Naugatuck

Keith reviewed a memo that was previously sent to the commissioners dated April 28th regarding this issue, which he explained as a modification of a former permit for a park which now has been transformed to a conservation area. He also submitted a Deed Restriction letter to the Commission, and continued to explain that the proposed soccer field approved in 2001 has been replaced by a low impact passive recreation area with a smaller gravel parking lot that does not require a storm water detention system, a story telling area and a system of walking trails one of which crosses into the wetland area on the easterly side of the park. In 2008 the commission voted to extend the approved plan. He continued to say that all crossings and gratings associated with the previous approved plan have been accomplished, and that both the special zoning and wetland permits have expired. Keith said that that a determination of a significant activity needs to be made and whether or not a Public Hearing should be held on the matter. Attorney Edward Fitzpatrick, representing the Borough of Nauagtuck, spoke to the commission and explained that the park has been approved by the Borough Board and is currently before the Planning Commission under Connecticut General Statutes, 8-24 as a new application. Mr. Fitzpatrick stated that he wanted the commissions to have a record that this is the site plan, this is what has been approved by the Borough, subject to the Inland Wetlands and other board approvals. He continued to explain that the plans would have minimal impact to the wetlands and that there will be no organized team activities in the park. He said that it will be deed restricted, with a 25 year restriction as the Borough Board wanted to let the next generation look at it again. Mary Davis stated that she has been on numerous site walks on the property and she feels that in the public interest it would be a good idea to have a public hearing. Joe Bakstis asked what would happen if at the hearing the public brings up something that could then lead to it possibly being considered as a significant activity. Attorney Fitzpatrick said that the commission could revisit the decision. Lars Johnson asked if the series of trails were labeled on the site map and if there were any plans to limiting them to just walking trails. Wayne Zirolli answered yes they are labeled on the map and other than the parking lot which will be gated and the stones placed on the existing gravel path down to the field all of the trails will be for walking. Keith also replied that vegetation will be cut in order to allow for the trails to go through. Mary suggested scheduling a site walk and waiting until next month to determine if the activity is significant or not. Attorney Fitzpatrick stated that he would rather the Commission take due consideration before making a decision. At this time a site walk was scheduled for May 17, 2010 at 5:30 PM. It was determined that the Commission will meet in the parking area next to the barn. Mary Davis asked Keith to include a map of the meeting area with the site walk note when it is sent to the commissioners. Lars asked about the maintenance and how it would be handled. Wayne responded that trash will be handled by the Parks

Department as well as the maintenance of the trails. Attorney Fitzpatrick said that some of the maintenance to the trails will be done by environmental groups. He also commented that there will be handicap access to the park.

- B.** Commission discussion/decision per section 4.1.1 of the regulations, permitted use as right for farming, 774 Andrew Mountain Rd; Applicants Darren and Karrie Higgins.

Karrie Higgins of 774 Andrew Mountain Rd. spoke to the Commission and said that they do have horses and that Keith had sent them a letter of violation. She said that Keith came out to the property, gave them a form to fill out, and they are here to get it approved. Darren Higgins of 774 Andrew Mountain Rd, said that they put an access driveway in and an arena for exercising horses. Keith explained that he had received a call from a resident who believed that the Higgins had violated the wetlands regulations by creating their corral. He continued to say that he then sent the Higgins a letter and he was then contacted by the Higgins asking him to meet them at their property which he did. He measured where the barn was placed, how it related to the wetlands and how the corral related to the wetlands as shown on the property. Keith explained that the wetland boundary was placed there when the subdivision was done around 2003-2004. He said that through conversation with Mr. and Mrs. Higgins, they believed that their actions were justified under the regulations by the use of their land for agricultural uses. They were before the Commission to explain the uses of their property and how they feel that it is a permitted use as a right. Karrie said that she had specifically asked when she bought the house if they could have horses and she was told that they have almost four acres of land and that it was more than enough. She also mentioned that her children attend an agricultural school in Woodbury and as part of their curriculum they have to have an agricultural project, so the horses and chickens are their project. Commissioner Davis mentioned that the zoning regulations state that a farm is defined to have five or more acres of land. Keith responded that there is a discrepancy in the regulations and referenced to Schedule A, which states that farms, including the keeping of live stock, is a permitted use in every zone subject to a property on a lot no less than three acres. He suggested that in his professional opinion they should go by the table of permitted uses which is three acres to have live stock on the property. Commissioner Davis said that she has read case law on this, cited the State Statute which states that animals are allowed to graze in wetlands, read it to the Commission, and said that this specifically falls under it and in her opinion they have a right of use. She suggested that they get something from the zoning commission and wait to give a final decision at the June 2, 2010 meeting. Keith asked if Mr. and Mrs. Higgins would need to come back to the meeting and Mary replied no they do not. Keith said he would be in contact with them.

6. **CORRESPONDENCE**

Keith noted the piece of correspondence regarding the Sileo property, located at 35 Main Street. He said that there is quite a bit of sand on the property and that he has been contacted by the attorney for the estate and that they are contracting out to have someone remove the sand. Keith said once they have someone he will ask them to submit a plan as to how they will clean up the area. He said that neither the attorney nor anyone else knew who had put the sand on the property but that the property owners were willing to own up to the responsibility.

7. **WEO REPORT**

Keith referred to the updated list of permits submitted to the commission and requested a change be made under IW#(08-05), Borough of Naugatuck Project, that it is under bidding and not under construction. Wayne said that the bidding has actually been completed but has not been awarded yet because he has not received a signed permit from the State DEP nor has he gotten the funds released from the state. He said he sent a letter to the State DEP. Keith said the only permit that is still under construction as it relates to wetlands activities is the Florence/Pinewood Crossing and that the area has now been stabilized, they have completed the detention pond, and most of the work has been completed. He also referenced IW#(05-09), Worcester St. and Pond View Estates, and that all of the work has been done except for one lot near the pond. Keith said that the Westover Hills Mitigation Plan report is completed and will be brought to the next meeting. Mary Davis asked Keith to make a folder up for each permit along with information on when the inspections are done. Keith responded that he does have the information in folders for each permit and that he will put the inspection information in as well. Mary asked that he can separate out the permits that are still active and report those to the Commission on a monthly basis.

8. **VOTED:** Unanimously on a motion by Joe Bakstis and seconded by Jeff Hayden to **APPROVE** the February 3, 2010 meeting minutes.

VOTED: Unanimously on a motion by Sally MacKenzie and seconded by Jeff Hayden to **APPROVE** the April 7, 2010 Regular Meeting minutes with corrections.

The April 7, 2010 Show Cause Hearing minutes were tabled to the next meeting.

VOTED: Unanimously on a motion by Jeff Hayden and seconded by Sally MacKenzie to **APPROVE** the April 22, 2010 Special Meeting minutes.

9. **ADMINISTRATIVE BUSINESS**

Keith reported on activity at 45 High Street. He said that he had received word from a neighbor that there was flooding. Keith said he wrote a letter to Mrs. Dmunchowski and made her aware that she had a permit and that they are able to clean up the area and part of the permitting process was the long term maintenance of the pipe. He said that along with the Zoning Enforcement Officer, the Fire Marshall and Kevin Lawlor a local contractor, they oversaw the clean up and now the water is flowing back again. Commissioner Davis asked Keith to monitor this and include a report on this in his monthly report to the Commission.

10. **ADJOURNMENT**

VOTED: Unanimously on a motion by Sally MacKenzie and seconded by Jeff Hayden to **ADJOURN** the meeting at 10:03 P.M.

Respectfully Submitted

Sally MacKenzie, Secretary /sk

DRAFT

**INLAND AND WETLANDS COMMISSION
CONTINUED SHOW CAUSE HEARING
PROPERTY LOCATED AT 815 MAPLE HILL ROAD
OWNER: MATTHEW AND TRACY DEBARBER
MAY 5, 2010**

Commission Chair Mary Davis called this Continued Show Cause hearing to order at 5:30 P.M. with the following in attendance:

MEMBERS:

Mary Davis, Chair
Joseph Bakstis, Vice Chair
Sally MacKenzie, Secretary,
Jeff Hayden
Lars Johnson, alternate, absent

OTHER:

Keith Rosenfeld, Town Planner, WEO
Wayne Zirolli, Borough Engineer, absent
Sheryl Kimiecik, Secretary
Public, 1

Keith confirmed with the commission that they had all received the Continued Violation letter that was sent to Mr. and Mrs. Debarber dated April 27th, 2010. Commissioner Davis asked Mrs. DeBarber to let the commission know what the plan is for the restoration of the property. Tracy Debarber of 815 Maple Hill Road said that they are consulting with the engineer and attorney and she asked for a continuance to the next meeting. Commissioner Davis asked if the area is stabilized and if it can wait a month or could it wait two weeks. Tracy responded that she would have to consult with the attorney and engineer. Keith said that the area appeared to be stabilized. Mary asked if the streams on the property run into a reservoir area. Sally replied that there are two reservoirs. Mary then asked Keith to look into this. Keith said he would consult with the Connecticut Water Department. A discussion took place as to where the reservoirs are located. Joe Bakstis said he thought it would be a good idea if Keith goes down there after any rainfall. Keith stated that he will call the DeBarber's ahead of time before visiting the property. Keith submitted to the commission a picture of the property and stated that hay bails and a silt fence are holding up well. Mrs. DeBarber gave her husband's cell phone number to Keith and requested that a twenty-four hour notice be given before anyone goes out to the property. Keith said that he had sent a letter to Southwest Conservation District and will get an Access Agreement prepared for the DeBarbers. Sally said that she is concerned about the bank. Keith mentioned that he will call Mr. DeBarber to discuss areas to seed and suggested using mulch on the upper side of the bank, not in the wetland area. Tracy said that she didn't anticipate the plans taking long as they want to get on with their project. Joe Bakstis asked if the DeBarbers would be prepared with a plan for the next meeting. Mrs. DeBarber replied yes. Commissioner Davis noted that after-the-fact applications are one of the most difficult things the commission has to deal with. She suggested continuing the Show Cause Hearing to the June 2, 2010 meeting.

**INLAND AND WETLANDS COMMISSION
PUBLIC HEARING
PADDOCK RIDGE SUBDIVISION (IW #09-09)
PROPERTY LOCATED AT END OF KING SREET
APPLICANT: MANUEL N. AND CAROLE J. VIEIRA
MAY 5, 2010**

Commission Chair Mary Davis called this Public Hearing to order at 7:12 P.M. with the following in attendance:

MEMBERS:

Mary Davis, Chair
Joseph Bakstis, Vice Chair
Sally MacKenzie, Secretary,
Jeff Hayden
Lars Johnson, alternate

OTHER:

Keith Rosenfeld, Town Planner, WEO
Wayne Zirolli, Borough Engineer, absent
Sheryl Kimiecik, Secretary
Public, 4

Keith Rosenfeld submitted the Public Hearing notice that had been placed in the paper on February 20, 2010 and February 27, 2010 which stated that on Wednesday March 3, 2010, in the Town Hall a Public Hearing was going to be held for regulated activities for Paddock Ridge Subdivision a proposed 13 lot subdivision; Applicant Manuel N. and Caorle J. Vieira. Keith also stated that the application and plans were submitted to the Commission for review and that the fees were paid and the taxes had been paid by the applicant. Keith also said that he did not as of this date have the notices that should have been sent out to the adjacent properties allowing for this public hearing to take place and asked Mr. Vieira if he had copies of the mailings. Mr. Vieira replied that he did not have the mailings but that he delivered them to the Town Hall in February and that he asked for a receipt from the office. Commissioner Davis asked an abutter that was present at the hearing if he received the mailing and he replied that he suspected he did but couldn't say for sure. Keith reiterated that he did not personally receive them. Commissioner Davis suggested continuing the Public Hearing taking Mr. Vieira's word that he had hand delivered the mailing receipts to the Land Use office. George Cotter, engineer of OCC Design Consortium, LLC, 2091 Highland Ave., Cheshire, CT., representing the owner, submitted a revised hydraulic report, a revised engineering report, and the environmental report for the property. He said they originally came to the Board in the 90's, and in 1995 the commission approved the plan for the Subdivision with septic and wells in the application with filling on three lots and a driveway access that ran across the wetland that runs though the property and some filling for the road. This application was not filed with the town, and therefore a revised application was brought before the board again in 2000 at which time water and sewer had been added to the subdivision as well as a revision from 14 to 13 lots. The roadway was moved out of the 50 foot set back out of the wetlands. A detention basin was also added to the plan which was approved by the board with an erosion permit. He continued to explain that in 2005 they came back before the Inland Wetland Commission and the basin was removed out of the setback as requested

by the Commission, the plan was approved by the Commission but was overturned in court. The 2009 plan being presented now has 13 lots with the addition of an oil water separator for discharge of storm water, it encompasses 14.8 acres with 2.34 acres of wetlands and 4.5 acres of conservation easement. Rain gardens have been now added. The proposal is for 800 feet of improvements along King Street and 600 feet of new road within the subdivision which is outside the previous 50 foot setback regulation. Mr. Cotter explained that the water flow from the roads and will discharge to a separator, detention basin, and eventually out to the area below the pond. Mr. Cotter said that no filling is proposed with this plan and he believes that the plan as revised does not have any adverse impacts on the existing wetlands. Commissioner Davis asked what the differences in the site plans were. Mr. Cotter explained the differences in the plans and the changes that have been made since the original approval in 2000. Joe Bakstis asked if anything had been done on the plans that were recommended by the ERT. Mr. Cotter replied that they are working on the soil and erosion request and they will be supplying additional details on erosion and sediment controls to be used during construction of the roadways and ENS for the individual lots would be included. He said he and the applicant disagreed with the report in that they feel the lots can be built adjacent to wetlands without adverse impact. A discussion took place regarding the declaration of a significant activity and the Commission decided it had not been declared.

VOTED: Unanimously on a motion by Sally Mackenzie and seconded by Mary Davis that the Paddock Ridge Subdivision IW (#09-09) is a **SIGNIFICANT ACTIVITY**. At this time a site walk was scheduled for May 19, 2010 at 5:30 PM.

Commissioner Davis referred to the Kingsmark study and that there is barely room to wiggle with the 100 foot buffer on lots 2 and 7. A discussion took place regarding the discharge and drainage of the water through the wetlands into the pond and the recommendations by Kingsmark to relocate the basin which would mean that the house proposed on lot 8 would be lost. Mr. Cotter said that he feels that the basin where it is located on their proposed maps provides a better drainage plan that that which is proposed by Kingsmark and that there will not be an adverse impact to the wetlands by the development of lots 2 ad 7. Joe asked about blasting and Mr. Cotter replied that he doesn't agree with the report which was concerned with the bedrock and he said that there would not be a need for blasting except for the sewer line and for the utilities. A discussion continued regarding the sulfuric rock that would be blasted and the possible impact on the wetlands which Mr. Cotter said would be taken off site and processed and not dumped back on site. Wayne said that according to the report it is only a possibility that the sulfuric rock is there, not that it is guaranteed to be there. Commissioner Davis opened the hearing for public comment. No public comment. Wayne Zirolli submitted an engineering report for the commission to review for the next meeting. The commission decided to continue the Public Hearing to June 2, 2010.

Commissioner Davis called for a five minute break at 8:00 PM.

**INLAND AND WETLANDS COMMISSION
PUBLIC HEARING FOR
SCHOOL BUS FACILITY (IW#10-01) PAR HOLDINGS, LLC
PROPERTY LOCATED AT INTERSECTION OF MAIN AND
HOTCHKISS STREETS; APPLICANT PAR HOLDINGS, LLC
MAY 5, 2010**

Commission Chair Mary Davis called this Public Hearing to order at 8:06 P.M. with the following in attendance:

MEMBERS:

Mary Davis, Chair
Joseph Bakstis, Vice Chair
Sally MacKenzie, Secretary,
Jeff Hayden
Lars Johnson, alternate

OTHER:

Keith Rosenfeld, Town Planner, WEO
Wayne Zirolli, Borough Engineer, absent
Sheryl Kimiecik, Secretary
Public, 2

Scott Meyers, professional engineer and land surveyor of Meyers Associates, PC, spoke on behalf of the applicant, PAR Holdings, LLC. He submitted certified mailings and revised plans to the Commission. Keith noted the Public Notice was placed in the paper April 23, 2010 and April 30, 2010 announcing the hearing. Mr. Meyers described the proposed plan to the commission to use the northerly building for the bus facility and the southerly building as a NAPA store. He said that there are no plans to repave, but that improvements to the site include several plantings on the site and tree plantings along Hotchkiss Street. Also, drainage and berms will be installed along the top of the river per the recommendation by the borough engineer. Mr. Meyers noted among the revisions to the newly submitted plans are a legend and a planting scheme, as well as a time frame to stabilize the berm. He said that letters had been submitted prior to the meeting regarding water quality improvements and responses to recommendations, dated April 21, 2010, the first letter being a response to the finding by the Commission that the activities are significant, and the second being an introduction and cover letter as to what they are doing on the current plans for the site and why they think this is a good use for the site. Mr. Meyers said that they feel this is a more environmentally friendly use for the site than for example a car dealership as it was before, and first of all there are strict rules for the buses with regular inspections monitored by DMV. Also, the property is in a B-2 zone and the buses will only be there 180 days of the year which will be less traffic than perhaps retail or shopping plazas that it is zoned for. He continued to say that with this current proposal for the site there will be improvement of the storm water quality and no adverse impact on the river or wetlands. Mary Davis asked for a receipt that the taxes were paid. Keith responded that yes they were paid and the Commission received a copy of this. Commissioner Davis asked Mr. Meyers about an alternative. Mr. Meyers responded that in the letter alternatives were considered before this one being that they are not really planning on developing the site. The original application back in February did not include drainage or berms which now there is a plan to install drainage. Joe asked who owned the property immediately after the berm. Mr. Meyers responded that Penn

Central Railroad owns a piece and the pieces north and south do not have an owner. Joe asked if there is any way to clean up the area when the berm is put in without any problems with other property owners. Keith said they can't go onto other people's property. Commissioner Davis asked the size of the berm and if they considered making it bigger. Mr. Meyers replied that the main reason for the berm is to control the runoff to the east and not to act as a shield to the river. Jeff asked what the rationale behind the berm instead of a solid curb was. Scott said that a solid curb would be easier, but that they didn't want to create any more impervious area than was needed. Joe asked for an explanation of the catch basins and the sumps. Wayne responded that Meyer's designed four foot sumps which are double the size of normal sumps, plus hoods will extend one foot lower than the outlet so that oils on the surface would not be able to flow out and drain into the river. He stated that from his professional opinion those would be adequate for this site. Commissioner Davis asked which system would work better, an oil separator or what is proposed. Wayne responded that there would be double protection and less maintenance with the catch basins. Commissioner Davis questioned the parking spaces. Scott clarified that there are 65 parking spaces for the employees and 50 for buses, and said that the buses are checked twice a day for oil leakage and are taken out of service if a leak is found. He also said that the specs submitted for the gasoline tank is ten feet from the building and it is self contained with its own spill protection. Joe asked about the wells and if the inside wells would be used as well as the outside wells. Paul Symco of 26 Hotchkiss Street, managing member of Par Holdings, LLC, said that there are 11 monitoring wells on site, quarterly testing is being done by Diversified Technologies and the contaminated soil that was found inside the building was removed. They installed a monitoring well inside the building and it has shown it to be taken care of. He said that as for bus washing, it is currently being done twice per year on site but if a problem occurs it can be done off site. Mary Davis mentioned that a permit is needed to wash vehicles on site. Mr. Meyers said that he has done some general permits for DEP for vehicle washing and typically some sort of drain is needed and it is done inside a bay which has a floor drain system that outlets to an oil separator that outlets to a storm sewer system or sanitary system. He said that on the current site there is an oil separator outside the service bay but that he doesn't know how old it is or what kind of condition it is in and they would have to make sure it was up to code by DEP. Wayne mentioned that there are independent companies that come out and wash vehicles on site and this could be another possibility. A discussion took place regarding oil changing, placement of oil tanks, what permits would be necessary, and possible contamination of the soil. Mr. Symco reassured the Commission that there is more quality control now than there was years ago and that the contaminated soil has all been removed. Mary asked why 65 other parking spaces are needed other than the 50 bus spaces. Mr. Meyers said that it is all specified in the zoning table and they are employee spaces and that NAPA would be using those spaces as well. Lars asked what the school bus inspections are comprised of. Mr. Meyers said DMV monitors the inspections with a checklist that is about thirty items long and they look for everything. Lars asked how the catch basins work. Wayne said that it is like a baffle in a septic tank, the hood is around the outlet of the pipe and one foot deeper so that as the water level comes up in the basin anything that floats is higher than the outlet and only water siphons out. Mary reminded the Commission that there will be quite a bit of traffic on the property and that the Commission's job is to apply the

DRAFT

regulations and make sure that what the Commission comes up with is a good plan and will still be good years down the road. Joe compared it to Stop-n-Shop and that this seems like a better set up, that the drainage will be good and the proposal is good for the land. Jeff commented that monitoring will be done. Commissioner Davis said that Southwest is still sending a report which should be ready for the June meeting. There was no public comment. The Commission decided to continue the hearing to the June 2, 2010 meeting.