

**TOWN OF EAST WINDSOR  
INLAND WETLANDS WATERCOURSE AGENCY**

**Regular Meeting – June 4, 2014**

***MEETING MINUTES***

***\*\*\*\*\*Draft Document Subject to Commission Review/Approval\*\*\*\*\****

**CALL TO ORDER:** Chairman Savaria called the Meeting to order at 7:00 p.m. in the Town Hall Meeting Room, 11 Rye Street, Broad Brook, CT.

**ESTABLISHMENT OF QUORUM:**

**Present:** Regular Members Ron Savaria (Chairman), John Malin, Richard Osborn, and Alternate Member Kathryn Roloff.

**Unable to Attend:** Regular Members Dave Menard and Robert Slate, and Alternate Member Mike Sawka

**Guests:** Applicants as listed under application presentations.

Chairman Savaria noted the establishment of a quorum with three Regular and one Alternate Member as noted above. All Regular and Alternate members will sit in on votes this evening. .

Also in attendance was Wetlands Agent/Zoning Enforcement Officer Robin Newton.

**AGENDA ADDITIONS:**

Chairman Savaria acknowledged the following Agenda Additions:

1. **NEW APPLICATIONS TO BE RECEIVED: #09-2014: George Hargraves/Applicant – East Road:** Request to conduct regulated activities to construct an access drive within the 150' regulated area for property on the east side of East Road owned by Richard Harrison 870'+/- south of the intersection of Hemlock Drive. Assessor's Map 110, Block 77, Lot 021-03. (65 day application period ends August 8, 2014).
2. **#10-2014: Town of East Windsor/Applicant – Wapping Road and Morris Road:** Request to conduct regulated activities for road reconstruction, storm drainage installation and discharge into wetlands. Assessor's Map N/A, Block N/A, Lot N/A. (65 day application period ends August 8, 2014).
3. **MISCELLANEOUS: Scout Hall – Extension of Permit.**

**TOWN OF EAST WINDSOR  
INLAND WETLANDS WATERCOURSE AGENCY  
Regular Meeting – June 4, 2014  
MEETING MINUTES**

2

**APPROVAL OF MINUTES/1) May 8, 2014 Special Meeting:**

**MOTION:** To APPROVE the Minutes of Special Meeting dated May 8, 2014 as presented.

Osborn moved/Malin seconded/VOTE: In Favor: Unanimous

**CONTINUED PUBLIC HEARINGS:** None.

**NEW APPLICATIONS TO BE RECEIVED/1) #07-2014 – Thomas Kuhns – 270 Rye Street** - Request to conduct regulated activities for construction associated with building a new single family residence with all proposed activity located outside the 150' wetlands buffer at 270 Rye Street. Zone R-3; Map 25, Block 42, Lot 22.

Chairman Savaria read the description of this Item of Business. Mr. Kuhns was present in the audience in case additional information was needed. Wetlands Agent Newton reported this Application is for work to construct a single family home outside of the upland review area. This site was the subject of issues a few months ago regarding work on the terrace escarpment slopes; significant landscaping has now been added to the site to protect those slopes. Wetlands Agent Newton requested the Commission approve an Agent Decision Permit; she noted this proposal will be going before the Planning and Zoning Commission next week under a Special User Permit Application.

Chairman Savaria questioned what was the large slab shown on the plans? Wetlands Agent Newton noted the slab is the foundation of a barn which has been torn down; the Applicant plans to leave the slab as it is.

Commissioner Roloff questioned the notation on the plans for the historic road? Wetlands Agent Newton suggested the notation reflects an old farm road; it is not a reference to an historical site.

**MOTION:** To give Zoning Enforcement Officer Newton permission to grant an Agent Decision on Application #07-2014 – Thomas Kuhns – 270 Rye Street for a Request to conduct regulated activities for construction associated with building a new single family residence with all proposed activity located outside the 150' wetlands buffer at 270 Rye Street. Zone R-3; Map 25, Block 42, Lot 22.

Osborn moved/Malin seconded/VOTE: In Favor: Unanimous

**NEW APPLICATION TO BE RECEIVED/#09-2014: George Hargraves/Applicant – East Road:** Request to conduct regulated activities to construct an access drive within the 150' regulated area for property on the east side of East Road owned by Richard Harrison 870'+/- south of the intersection of Hemlock Drive. Assessor's Map 110, Block

**TOWN OF EAST WINDSOR  
INLAND WETLANDS WATERCOURSE AGENCY  
Regular Meeting – June 4, 2014  
MEETING MINUTES**

3

77, Lot 021-03. (65 day application period ends August 8, 2014).

Jay Ussery, of J. R. Russo & Associates, who represents this Applicant, was present in the audience. Wetlands Agent Newton questioned if this proposal will impact any of the wetlands on the parcel? Mr. Ussery replied negatively, noting there is no wetlands impact or disturbance regarding the proposal to construct an access drive. He noted the area has appeared on the Natural Diversity Database for endangered, threatened, and species of special concern; he questioned if the Commission would require a Public Hearing due to this finding?

Chairman Savaria suggested the Inland Wetlands Commission would hold a Public Hearing if the proposal caused significant wetlands impact; as Mr. Ussery has indicated all the work for this access drive will be within the 150' uplands review area he didn't feel the need to hold a Public Hearing via this Commission. Wetlands Agent Newton and the Commission concurred with Chairman Savaria's assessment. The Application was automatically received, therefore no motion of receipt was made. This Application will appear under New Business for the July Inland Wetlands Commission Meeting.

**NEW APPLICATIONS TO BE RECEIVED/#10-2014: Town of East Windsor/Applicant – Wapping Road and Morris Road:** Request to conduct regulated activities for road reconstruction, storm drainage installation and discharge into wetlands. Assessor's Map N/A, Block N/A, Lot N/A. (65 day application period ends August 8, 2014).

Wetlands Agent Newton and Town Engineer Norton reviewed the location of this proposed drainage work for the Commission. The area is along Wapping Road near the bog; the area collects significant run off from the farm property on Morris Road and Graham Road. The area collects significant run off during storms, and has begun to erode an area of Wapping Road near the Christmas tree farm. Chairman Savaria questioned if there would be any impact to any neighbors; it was noted there is one residence near the bog – a Quonset hut which is occupied – but other than that resident there is really no neighborhood.

Commissioner Osborn questioned the significance of the bog? Wetlands Agent Newton reported the bog is owned by the Northern Connecticut Land Trust; they have contacted her regarding their concerns for the run-off. This proposed work will stop the accumulation of silt into the bog. Wetlands Agent Newton noted this Application will not go before the Planning and Zoning Commission but Town Engineer Norton will acquire easements from the various property owners to perform the work.

The Application was automatically received, therefore no motion of receipt was made. This Application will appear under New Business for the July Inland Wetlands Commission Meeting.

**TOWN OF EAST WINDSOR  
INLAND WETLANDS WATERCOURSE AGENCY  
Regular Meeting – June 4, 2014  
MEETING MINUTES**

4

**NEW BUSINESS/ 1) #06-2014 0 John Burnham for Lawrence Tribble d/b/a LCC Partnership – 37 Abbe Road** – Request to conduct regulated activities to construct drainage improvement where trees have been removed and stumps ground along road at 27 Abbe Road. A-1 Zone; Ma 23, Block 22, Lot 046.

Chairman Savaria read the description of this Item of Business. Appearing to discuss this proposal was Jay Ussery, of J. R. Russo and Associates, and John Burnham, representing the Applicant.

Mr. Ussery reported this proposal is to clean out a drainage ditch which runs along Abbe Road; over the years the ditch has been cleaned out but is often then filled in with debris from lawns and discarded shrubbery. The proposal is to install a formal drainage system along this area of Abbe Road which would begin at 33 Abbe Road – the driveway into the Windsor Show Stables – and continue up Abbe Road for several hundred feet. Mr. Ussery noted they are proposing the installation of pipes and yard drains along the edge of the pavement which will allow the water to run from the side of the road as it does now and continue into a pond and drainage system at 205 South Main Street, then pass under Route 5 and eventually flow into the meadows and the Connecticut River.

The plans have been reviewed by Town Engineer Norton, who is in agreement with the proposal. The Applicant hopes to begin the work shortly as Town Engineer Norton plans to repave Abbe Road this Summer.

Mr. Ussery noted there are wetlands along the road; there will be temporary disturbance to those wetlands while the pipe is installed. Wetlands Agent Newton has reviewed the plans and has requested a revision which eliminates two pipes which would have dewatered the wetlands.

Commissioner Osborn noted the Application references grinding of stumps; will they be dug out and taken off site or ground up on site? Mr. Ussery suggested the trees which will be in the way of the pipe installation will be pulled out; other smaller stumps will be ground up at the site.

Discussion continued regarding the ability of the pond to take this run-off, the construction of the pond, and the topography of the area draining into the pond.

**MOTION TO APPROVE:** #06-2014 – John Burnham for Lawrence Tribble d/b/a LCC Partnership – 37 Abbe Road – Request to conduct regulated activities to construct drainage improvement where trees have been removed and stumps ground along road at 27 Abbe Road. A-1 Zone; Ma 23, Block 22, Lot 046. (Deadline for decision is August 8, 2014).

**This approval is granted subject to conformance with the referenced plans,  
“Drainage Improvements, Town of East Windsor, Abbe Road, East Windsor, CT.,**

**TOWN OF EAST WINDSOR  
INLAND WETLANDS WATERCOURSE AGENCY  
Regular Meeting – June 4, 2014  
MEETING MINUTES**

5

**Prepared by J. R. Russo & Associates, LLC., Dated 2/18/14, Revisions through 5/22/14, Second Revision through 6/4/2014”.**

**Standard Conditions**

1. This Permit is valid for a period of Five (5) years from the date of issuance OR will be valid until the companion planning/zoning permit approval expires but shall not exceed 10 years. Any regulated activity approved by the Agency shall be completed within one year from the time such activity is commenced, provided the Agency may establish a seasonal restriction within which any regulated activity shall be conducted and may require that an activity, once commenced, be completed within a time period of less than one year and further provided the Agency may extend: (1) the time period of the original permit provided such period shall not extend beyond ten years from the date such permit was granted, or (2) the time period within which an activity, once commenced, is required to be completed under this section.
2. The Commission or its designated agent must be notified in writing no later than 48 hours prior to the commencement of permitted activities, and upon completion of said activities.
3. The burden to extend the approved timeframe for the regulated activity (and the time period for the original permit) is on the Permittee; the Town of East Windsor is not required to give notice of the permit's expiration.
4. This permit shall not be assigned or transferred without the approval of the Agency OR Agent.
5. This document shall be included in all construction contracts and sub-contracts dealing with the work proposed and shall supersede all other contract requirements.
6. During the construction phase, the applicant shall be responsible for maintaining a copy of this permit at the site.
7. The Permittee shall permit the Chairman of the Inland Wetland Agency, or its authorized representative(s) or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this Permit is in accordance with the terms and conditions prescribed herein.
8. Prior to the start of construction, adequate erosion and sedimentation control measures shall be implemented, and shall be maintained throughout the entire construction phase in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control until the site has become stabilized with permanent vegetative cover. The construction site shall be left in a stable condition at the close of each day. An adequate stockpile of erosion control materials shall be on

**TOWN OF EAST WINDSOR  
INLAND WETLANDS WATERCOURSE AGENCY  
Regular Meeting – June 4, 2014  
MEETING MINUTES**

6

- site at all times for emergency or routine replacement and shall include materials to repair silt fences, haybales, stone-riprap filter dikes or any other devices planned for use during construction. Additional erosion control measures are to be installed as directed by the Town Staff if field conditions necessitate.
9. These permit conditions apply only to the work approved by this permit. Any other work to be done within the area of regulatory interest shall require the filing of a new or modified Inland Wetlands Application for consideration by the Commission.
  10. If any alteration of the wetland/resource area does occur, the Commission shall impose such measures as it finds necessary to protect and restore those areas.
  11. All temporary barriers, including erosion and sedimentation controls are to be removed (in suitable weather conditions) upon completion of the project.
  12. A copy of the As-Built plan shall be submitted to this Commission/Wetland Agent upon completion of the project. The as-built will be reviewed by the wetland agent and verified in the field.
  13. The Commission reserves the right to impose additional conditions on any or all portions of this project that could impact an area of regulatory interest under the Inland Wetlands and Watercourses Regulations.

**Additional Condition:**

14. **The permit holder will submit a start work notice and contractor's compliance statement to the Wetlands Agent prior to starting any work authorized by this permit. Copies are attached.**

**NOTE:** Extensions of time may be granted if a request is made prior to the expiration of the regulated activity and/or permit.

Roloff moved/Osborn seconded/VOTE: In Favor: Unanimous

**OLD BUSINESS:** None.

**MISCELLANEOUS/Scout Hall – Extension of Permit:**

Wetlands Agent Newton reported that Ron Masters had appeared in the office to discuss the duration of the permit for work on a pond on the Scout Hall property. She noted that once work has been started the activity must be completed within a year. As a not-for-profit organization Wetlands Agent Newton reported that Scout Hall often must depend

**TOWN OF EAST WINDSOR  
INLAND WETLANDS WATERCOURSE AGENCY  
Regular Meeting – June 4, 2014  
MEETING MINUTES**

7

on donations/assistance to complete their projects. She recommended that the Commission consider extending the current permit, which would expire in March of 2015, for the full ten year period allowable under State Statutes. The Commission concurred with Wetland Agent Newton's recommendation.

**MOTION:** To EXTEND the Inland Wetlands and Watercourse Agency Permit #14-2016 for the Town of Eat Windsor Scout Hall Building Committee until March 2, 2021.

Osborn moved/Roloff seconded/VOTE: In Favor: Unanimous

**AGENT DECISIONS(1) #08-2014 – Caren Paradise – 45 Main Street, Broad Brook**  
– Request to conduct regulated activities to construct a retaining wall in upland review August 8, 2014):

Wetlands Agent Newton reported this proposal is for a retaining wall being built behind a garage which is located on a steep slope adjacent to the Broad Brook Pond. She has visited the site, and asked the contractor to use hay bales rather than silt fence to contain erosion.

Wetlands Agent Newton suggested the work doesn't require a Zoning Permit, but the Building Department has required a "sign-off".

The consensus of the Commission was in agreement with Wetlands Agent Newton; no motion was made.

**STATUS REPORTS:** None.

**VIOLATIONS:** None.

**CONFERENCES/SEMINARS/TRAINING(1) Connecticut DEEP's Training for Municipal Inland Wetlands Agencies:**

Chairman Savaria recommended members of the Commission consider taking this training.

**CORRESPONDENCE:**

Wetlands Agent Newton reported the Town has won the decision regarding the Dearborn property at 68 Newberry Road. She provided the Commission with a copy of the Memorandum of Decision from the Court, and a copy of a recent newspaper article.

Chairman Savaria requested that the record reflect he felt this is a sad thing; no one

**TOWN OF EAST WINDSOR  
INLAND WETLANDS WATERCOURSE AGENCY  
Regular Meeting – June 4, 2014  
MEETING MINUTES**

8

actually won.

**GENERAL BOARD DISCUSSION:** None.

**PUBLIC PARTICIPATION (Discussion on non-agenda items only):**

**Dick Pippin, Woolam Road:** felt the Inland Wetlands Commission and the Planning and Zoning Commission really went out of their way, and bent over backwards to accommodate Mr. Dearborn.

**EXECUTIVE SESSION/1) Pending Litigation:** None.

**ADJOURNMENT:**

**MOTION:** To ADJOURN this Meeting at 7:48 p.m.

Osborn moved/Roloff seconded/VOTE: In Favor: Unanimous

Respectfully submitted:

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Peg Hoffman, Recording Secretary, Inland Wetlands and Watercourse Commission