

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

Regular Meeting – August 6, 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), and Alternate Members Kathryn Roloff and Michael Sawka.

Unable to Attend: Regular Members John Malin, Dave Menard, Richard Osborn, and Robert Slate.

Guests: No one.

Chairman Savaria noted the establishment of a quorum with 1 Regular and 2 Alternate Members as noted above. All Members present will sit in on votes this evening. .

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

AGENDA ADDITIONS:

Chairman Savaria noted receipt of:

- **Application #12-2014: Noble East Windsor, LLC:** Request to construct a gasoline filling station and convenience store in upland review area. Property located at 7 Winkler Road, 300' south of North Road. Assessor's Map 113, Block 24, Lot 2. (65 day application period ends October 8, 2014):

(Automatically received; no motion).

APPROVAL OF MINUTES/1) June 24, 2014 – Special Meeting:

The Commission was unable to approve the Minutes as Commissioner Roloff was not present for the June 24th Meeting, and had not had the opportunity to listen to the recording.

Approval of the June 24, 2014 Minutes of Special Meeting has been *postponed* until the Commission's September Regular Meeting.

**TOWN OF EAST WINDSOR
INLAND WETLANDS WATERCOURSE AGENCY
Regular Meeting – August 6, 2014
MEETING MINUTES**

2

APPROVAL OF MINUTES/2) July 9, 2014 – Regular Meeting:

The Commission was unable to approve the Minute as Commissioner Sawka was not present for the July 9th Meeting, and had not had the opportunity to listen to the recording.

Approval of the July 9, 2014 Minutes of Regular Meeting has been *postponed* until the Commission's September Regular Meeting.

CONTINUED PUBLIC HEARINGS: None.

NEW APPLICATIONS TO BE RECEIVED: #12-2014: Noble East Windsor, LLC: Request to construct a gasoline filling station and convenience store in upland review area. Property located at 7 Winkler Road, 300' south of North Road. Assessor's Map 113, Block 24, Lot 2. (65 day application period ends October 8, 2014):

Mr. Ussery, who was present for another application, stepped forward to give a brief summary of the subject application. Mr. Ussery also represents this Applicant and will offer the presentation at a future meeting.

Mr. Ussery reported the proposal is for a gasoline station and convenience store on property owned by Bernie Lavoie which is located east of the intersection of Route 140 and Winkler Road. There are two wetlands areas within the property; one wetlands area – which is wet most of the year - is located near the neighboring dwelling situated on the parcel at the point of the intersection. Mr. Ussery indicated they will be creating a subsurface detention basin within the upland review area associated with this wetlands. The second wetlands area/pond – which is located on the southeast corner of property which will be retained by Mr. Lavoie, will not be impacted by improvements. A pre-existing metal commercial building is presently located on the property near Winkler Road.

Mr. Ussery reported this is not a “branded” facility, but will be something like a Cumberland Farms. An underground storm management system will be created which will tie into the North Road sewer line. While providers of water and utilities chose not to install their service while the sewer line was being expanded this location was already provided city water and utilities.

Wetlands Agent Newton queried the Commission if they felt a Public Hearing would be required for this Application with regard to wetlands impact/issues? Discussion followed. It was noted that under the new B-3 Business Corridor Zoning Regulations this Application will be proposed as a Special Use Permit Application through the Planning and Zoning Commission, which would require a Public Hearing at that level. It was noted that most of the issues of concern may involve traffic.

**TOWN OF EAST WINDSOR
INLAND WETLANDS WATERCOURSE AGENCY
Regular Meeting – August 6, 2014
MEETING MINUTES**

3

MOTION: To VOTE to see if we need to hold a Public Hearing.

Roloff moved/Sawka seconded/

MOTION RESCINDED.

MOTION: To hold a Public Hearing.

Roloff moved/Sawka seconded/

VOTE: In Favor: No one
Opposed: Roloff/Savaria/Sawka
Abstained: No one

NEW BUSINESS: None.

OLD BUSINESS: 1) Application #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).

Appearing to discuss this Application was Jay Ussery, of J. R. Russo and Associates, LLC. Also present was George Hargraves, the Applicant, and his real estate agent.

Mr. Ussery noted that just prior to the previous Inland Wetlands Meeting they had received a letter from DEEP (Department of Energy and Environmental Protection, author Nelson B. DeBarros, Botanist/Ecologist) regarding concern for the sensitivity of a portion of the wetlands area – a Poor Fen/peatland bog – within wetlands associated with this location. Mr. Ussery indicated he has since spoken with David Askew of the North Central Conservation District Inc., John Ianni, soil scientist, and Wetlands Agent Newton regarding impact of the proposed driveway on this Poor Fen. As a result of recommendations made by Mr. Askew, Mr. Ianni, and Wetlands Agent Newton they have revised the plans as follows: 1) they have added a proposed house and septic system location with a 50' set back from the wetlands; 2) they have tipped the driveway to the inside and changed the grading so water will run off to a infiltration basin located 50' from the wetlands. Mr. Ussery suggested this is an extensive wetlands area which extends to a neighboring property as well. When viewing an aerial the Poor Fen would be the area of extensive vegetation. Wetlands Agent Newton noted that when she and Mr. Askew inspected the property they never got to the area of the Poor Fen; she doesn't feel the run off will get that far back and if it does it will run into the heavily shrubbed area. Wetlands Agent Newton, although noting the septic system is a proposed location, felt that it is situated far enough away from the Poor Fin so as to not impact the area.

Chairman Savaria had the following comments:

**TOWN OF EAST WINDSOR
INLAND WETLANDS WATERCOURSE AGENCY
Regular Meeting – August 6, 2014
MEETING MINUTES**

4

- **Professional signature:** John Ianni, as soil scientist for the Applicant, must sign off on the plans.
- **Maintenance of driveway slopes:** Mr. Hargraves suggested he will have his wife mow those areas a couple of times a year.

Chairman Savaria queried the Commissioners for comments; no one raised any additional questions.

MOTION TO APPROVE: #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).

This approval is granted subject to conformance with the referenced plans, "Boundary Survey, Prepared for George Hargraves, East Road, East Windsor, CT. Map 110, Block 77, Lot 21-03, Prepared by J. R. Russo & Associates, 1 Shoham Road, East Windsor, CT. 06088, Dated 6/3/14, Revised 7/25/14, Sheets 1 or 2 and 2 of 2".

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.

**TOWN OF EAST WINDSOR
INLAND WETLANDS WATERCOURSE AGENCY
Regular Meeting – August 6, 2014
MEETING MINUTES**

5

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 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 Conditions:

- 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.***

**TOWN OF EAST WINDSOR
INLAND WETLANDS WATERCOURSE AGENCY
Regular Meeting – August 6, 2014
MEETING MINUTES**

6

**Roloff moved/Sawka seconded/VOTE: In Favor: Roloff/Savaria/Sawka
(No one opposed/No abstentions)**

MISCELLANEOUS:

Wetlands Agent Newton noted the Town has purchased new permitting software – View Point – which will enable residents to apply for permits online. The current Wetlands Fee Schedule is not compatible with the new software; she has proposed revised/simpler fees which she is requesting the Commissioners review for discussion at the September Commission Meeting.

AGENT DECISIONS: None.

STATUS REPORTS: None.

VIOLATIONS: None.

CONFERENCES/SEMINARS/TRAINING: None.

CORRESPONDENCE: None.

GENERAL BOARD DISCUSSION: None.

PUBLIC PARTICIPATION (Discussion on non-Agenda items only):

No one requested to speak.

EXECUTIVE SESSION: None this evening.

ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 7:30 p.m.

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

Respectfully submitted:

Peg Hoffman, Recording Secretary, Inland Wetlands and Watercourse Commission