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

Regular Meeting – May 4, 2016

MEETING MINUTES

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

CALL TO ORDER: Chairman Baker called the Meeting to order at 7:04 p.m. in the Town Hall Meeting Room, 11 Rye Street, Broad Brook, CT.

ESTABLISHMENT OF QUORUM:

Present: Regular Members Alan Baker (Chairman), Richard Osborn, and Rebecca Talamini

Unable to Attend: Regular Members Dave Menard, and Alternate Members Michael Sawka and Steve Smith

Guests: Deputy Selectman Richard P. Pippin, Jr., Inland/Wetlands Liaison; Kathy Pippin, Board of Finance; Denise Menard; John Burnham; Al Floyd; Ron Masters; Jay Russo, J. R. Russo and Associates.

Chairman Baker noted the establishment of a quorum with three Regular Members as noted above. . . .

Also in attendance was Acting Wetlands Enforcement Official Virginia Higley. .

AGENDA ADDITIONS: None.

APPROVAL OF MINUTES/1) January 6, 2016 – Regular Meeting.:

MOTION: To TABLE APPROVAL of the Minutes of Regular Meeting dated January 6, 2016 until the Commission's next meeting.

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

PUBLIC HEARINGS: None.

CONTINUED PUBLIC HEARINGS: _____ None.

NEW APPLICATIONS TO BE RECEIVED: None.

NEW BUSINESS: None.

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OLD BUSINESS: None.

**MISCELLANEOUS/1) Informal Discussion: Location of Bacher Corporation
business to corner of Wells Road and North Road:**

Appearing to represent the business owner, Bacher Corporation, was Jay Ussery, of J. R. Russo and Associates.

Mr. Ussery reported that Bacher Corporation has conducted business for many years from a rental location in the East Windsor Industrial Park. They are considering moving their operations to this parcel on the corner of Wells Road and North Road which is located next to Town and Country Automotive. Bacher Corporation would initially construct a 5,000 square foot building with parking in front and a loading bay in the rear. They would also like to display equipment in front of the building to promote the business. This first phase would require disturbance of approximately 1300 to 1500 square foot of wetlands. If they find they need to expand the building in the future they would add 5,000 square feet to the building, which would cause 9,000 to 10,000 square feet of wetlands disturbance.

The parcel is currently an open field which has been mowed in the past. A portion of the parcel contains wetlands, which have been delineated by Tom Pietries. The wetlands ponds water, which flows towards the back of the property and into a ditch which passes under North Road and eventually outlets into Boylens Brook near the Burlington Coat Factory.

Mr. Ussery noted the parcel is located in the new B-3 Business Zone which requires a 75' building setback for new construction. They would like to construct the building closer to North Road than the regulations presently allow. To do so they would seek a variance from the Zoning Board of Appeals (ZBA) for a reduction of the front building line. Should the variance be granted, and if this Commission finds the project feasible, they would then submit an Inland/Wetlands Application, and upon approval by this Commission they would then go through the approval process via the Planning and Zoning Commission (PZC).

Chairman Baker noted the business owner would need to deal with water coming off the building as well as the overland flow. Mr. Ussery concurred, noting they would probably create a swale to direct to flow into the ditch, or maybe create a pond with a detention basin towards the back and maybe under the parking lot. Mr. Ussery noted there is presently no drainage in the street, or North Road. Chairman Baker suggested he liked the idea of creating a habitat in the pond and have the water infiltrate back into the ground.

Commissioner Osborn referenced the preliminary plan; he questioned that the portion of the parcel which creates a leg-shaped area to the rear is part of this parcel? Mr. Ussery

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93 replied affirmatively, noting the land goes behind Town and Country Automotive.
94
95 Commissioner Osborn questioned the value of the existing wetlands? Mr. Ussery
96 suggested that if the Commission were considering the value on a scale of 1 to 10, with
97 10 being the best, he estimated the wetlands would be around a 2. Mr. Ussery felt the
98 wetlands was created when adjacent properties were built. He suggested that if this
99 proposal goes further as an application he would have Mr. Pietries include a valuation of
100 the wetlands in his report.

101
102 Mr. Ussery noted an approval was granted by Inland/Wetlands and the Planning and
103 Zoning Commission in the 1980s for construction of a building on this parcel.
104 Construction required utilization of a septic system; the application never came to
105 fruition.

106
107 Mr. Ussery reiterated the need for the request for a variance via the ZBA prior to
108 submission of an application before this Commission and the PZC. The consensus of this
109 Commission is the proposal as presented appears to be feasible with regard to dealing
110 with the wetlands.

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112 **MISCELLANEOUS/2) Scout Hall – Expansion of pathway:**

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114 Jay Ussery, of J. R. Russo and Associates joined the Board for this presentation.
115 Accompanying Mr. Ussery was John Burnham, Al Floyd, and Ron Masters, all
116 representatives of the Scout Hall Building Committee.

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118 Mr. Masters began the discussion by noting that Scout Hall currently has an active
119 Inland/Wetlands Permit to build the pond on the property; they would like to conduct this
120 work as part of that permit. Mr. Masters noted they have created a pathway along the
121 tree line from the barn located on the property; they are proposing to apply screened
122 millings to the existing pathway for a distance of approximately 950’.

123
124 Chairman Baker reported that he walked this location on Saturday with Mr. Burnham,
125 Mr. Floyd, and Mr. Masters. Two sections of the pathway are close to the wetlands; they
126 have agreed to apply stone to those two sections. Commissioner Osborn questioned the
127 width of the pathway; Mr. Burnham indicated it would be approximately 10’.
128 Commissioner Osborn questioned what materials compose the millings? Mr. Burnham
129 indicated sand, aggregate material, and oil. Commissioner Osborn questioned if material
130 containing oil should be applied near the wetlands; Chairman Baker noted the
131 pathway/trail is in the Upland Review Area. Commissioner Osborn reported he is
132 familiar with this area; when a heavy rainfall occurs the area becomes very wet. He
133 reiterated his question if use of the millings would be better than a stone material? Mr.
134 Burnham suggested use of stone for the entire pathway would be very expensive; the
135 application being proposed would cost approximately \$10,000.00. He indicated they are
136 ok with using stone in the 2 areas near the wetlands, 1 of which is near the soccer field.

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138 Commissioner Osborn questioned the process for improving this pathway. Mr. Burnham
139 indicated they would be scraping the pathway, then putting back 4” of millings for
140 approximately 400 yards. Commissioner Osborn questioned the need to seek approval
141 from the PZC for the deposition of over 100 yards of fill. Mr. Masters questioned if the
142 work was done in 3 stages would that requirement still apply? Mr. Burnham noted the
143 property is owned by the Town. Chairman Baker recalled the concern which was raised
144 by adjacent property owners and other neighbors when Town Engineer Norton came
145 through with a proposal to store millings at the Town Garage. At that time Town
146 Engineer Norton indicated the State was ok with the storage of millings. Chairman
147 Baker indicated he would like a letter from the State indicating the use of millings at this
148 location would be ok.

149

150 Acting Wetlands Agent Higley suggested some type of plan modification showing the
151 location of the application of the millings is required; she may be able to approve the
152 work as an Agent Decision. She noted that she and Town Planner Whitten walked this
153 location last week. Town Planner Whitten had indicated she didn't like the use of
154 millings; she thought there could be a better approach to improving this pathway. Mr.
155 Burnham referenced the parking lot for the soccer field; Commissioner Osborn suggested
156 the parking area is not located within the Upland Review Area. Chairman Baker
157 reiterated submission of a letter from the State regarding the use of millings as fill
158 material. Chairman Baker and Acting Wetlands Agent Higley noted the need to file an
159 application for the plan modification; he felt the Commission could hold a Special
160 Meeting prior to its June Meeting to move the project along. Mr. Ussery concurred; he
161 felt since this would be a modification of an existing permit the Commission wouldn't be
162 required to wait a month to receive the application. They could then submit an
163 Application concurrently with the PZC. Mr. Baker suggested the key for the
164 Inland/Wetlands Commission is the letter from the State regarding the use of millings.

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166 **AGENT DECISIONS:** None.

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168 **STATUS REPORTS/VIOLATIONS:**

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170 Acting Wetlands Agent Higley noted the following:

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172 • **Poultry Products, Newberry Road:** She received a call that this business had
173 swept their parking lot and dumped the debris in adjacent wetlands. She
174 inspected the property but couldn't find the material. She is sending a letter to the
175 business reminding them to be cautious with deposition of sweeping material.

176

177 • **Newberry Village, Newberry Road:** She and Town Planner Whitten inspected
178 this property to see the status of the migrating critters. The applicant didn't use
179 the buckets as directed, but did create “bridges” of mulch to help the critters;

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181 • Commissioner Osborn noted the tracking of mud into Newberry Road from the

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new construction.

- **Property at corner of Wells Road and Scantic Road:** Acting Wetlands Agent Higley noted the owner is stumping trees at this location. She understands the owner spoke with someone in the Planning Office regarding clearing this land for planting crops. While this is an agricultural use as-of-right the owner was to create a 25' buffer – which did not occur. The trees are already gone; Acting Wetlands Agent Higley suggested she will keep an eye on this project.
- **Property at corner of Wells Road and Mahoney Road:** Commissioner Osborn questioned the status of this situation? Acting Wetlands Agent Higley suggested the homeowners didn't know they couldn't fill in this area and didn't know the area was wetlands. They are having the material removed.
- **Property on Wells Road near the property noted above:** Acting Wetlands Agent Higley noted the homeowner is hoping to slope the side yard so it will be easier to mow. A landscaper will be discussing options with Town Planner Whitten.

VIOLATIONS: See above discussions under **Status Reports.**

CONFERENCES/SEMINARS/TRAINING:

Chairman Baker requested follow-up on status of CDs of training materials for Commissioners. He would like to see Commissioners complete all three sessions this year so they will be eligible for Certificates.

CORRESPONDENCE: None.

GENERAL BOARD DISCUSSION: None.

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

No one requested to speak.

ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 7:45 p.m.

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

Respectfully submitted:

Peg Hoffman, Recording Secretary, Inland Wetlands and Watercourse Commission