

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

Special Meeting – June 28, 2017

MEETING MINUTES

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

CALL TO ORDER: Chairman Baker 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 Alan Baker (Chairman), Richard Osborn, and Rebecca Talamini, and Alternate Members Michael Sawka.

Unable to Attend: All members present.

Guests: Deputy Selectman Richard P. Pippin, Jr., Inland/Wetlands Liaison; Kathy Pippin, Board of Finance; Barbara Sherman, Secretary, American Heritage River Commission; Dick Sherman, Chairman, American Heritage River Commission.

Chairman Baker noted the establishment of a quorum with 3 Regular and 1 Alternate Member as noted above. All members will sit in on votes this evening. .

AGENDA ADDITIONS: None

APPROVAL OF MINUTES/1) June 7, 2017 – Regular Meeting:

Approval postponed; minutes not provided to Commissioners for review.

NEW BUSINESS/1) WITHDRAWAL - Application #05-2017: EWD, LLP, d/b/a Four Fathers, Inc./d.b.a Sports World. Property at 226 Main Street, East Windsor. Request to conduct regulated activities to construct addition of building, parking, and grass fields at 226 Main Street, East Windsor. Map 101, Block 12, Lot 080A. (

Chairman Baker noted receipt of e-mail correspondence from Michael Fioretti, representing Four Fathers, Inc.; Mr. Fioretti is requesting withdrawal of the Wetlands Application. The request has been made as the Applicants no longer intend to construct the building submitted under the Site Plan; their intent is to construct only the soccer field and parking at this time. Postponement of construction of the building eliminates impact the upland review area at this time.

Chairman Baker queried the Commissioners regarding action on this request.

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MOTION: To **ACCEPT** the request to withdraw Application #05-2017: EWD, LLP, d/b/a Four Fathers, Inc./d.b.a Sports World. Property at 226 Main Street, East Windsor. Request to conduct regulated activities to construct addition of building, parking, and grass fields at 226 Main Street, East Windsor. Map 101, Block 12, Lot 080A

Talamini moved/Osborn seconded/*DISCUSSION:* None

VOTE: In Favor: Unanimous (Baker/Osborn/Sawka/Talamini)
(No one opposed/no abstentions)

NEW BUSINESS/2) Application #06-2017: Andre J. Groszyk – Property at 10 Harrington Road, Broad Brook containing 17.6 acres with existing home and 3 barns. Nearest intersection is Rice and Harrington Roads. Request to conduct regulated activities to create a 3-lot subdivision (Gabriella Estates) – including one rear lot – to construct 2 new homes with associated driveways and septic systems, and cut and fill earth work to build utilities. Map 106, Block 30, Lot 2. (*Deadline for decision 7/8/2017*)

Chairman Baker read the description of this Item of Business. Appearing to present this Application was Nat Sreenath, P. E., representing the Applicant, Andre Groszyk.

Mr. Sreenath reported this is a straight-forward application for a 3 lot subdivision consisting of the following:

- Lot #1 containing one existing home with existing septic system.
- Lot #2, with 50 feet of frontage on Harrington Road, is a proposal for a new house to be served by a new septic system, and a well. Mr. Sreenath noted a small pocket of wetlands along the boundary; the proposed dwelling location would be 50' from the wetlands. The footing drain for this lot drains into the slope just before the wetlands commences. The roof drain comes off the house but doesn't drain into the wetlands. Mr. Sreenath reported silt fence will be installed around the house as erosion control.
- Lot #3 is a rear lot which will be accessed by an 800 foot driveway. A culvert will be installed to drain water to Harrington Road. Mr. Sreenath noted the plans show silt fence around the house for erosion control. He noted the grades are not steep, except along the edge of the brook. This lot also contains 2 existing tobacco barns; the barns will remain as Mr. Groszyk intends to continue to farm the property.

Mr. Sreenath reported that because the project doesn't cause 5 acres of disturbance it doesn't require installation of a water quality system. He noted Town Engineer Norton has reviewed the plans; all of his previous comments have been addressed.

Commissioner Sawka questioned the soil conditions at the subject parcel? Mr. Sreenath indicated they vary; water goes into the soil at 20 inches on lot #3, which contains 14 acres but is only required to support one house.

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Mr. Sreenath reported the North Central Health District has reviewed the plans for the septic systems and the well. They will be upgrading the septic system and shallow well for the existing house, which is currently unoccupied.

Chairman Baker questioned if the footing drain on Lot #2 will drain into the drain at the end of the wetlands to the east of the proposed house location? Referencing the plans, Mr. Sreenath suggested there is a pipe exiting “here”; he is not increasing the flow. Commissioner Osborn suggested that drain is a land tile for the tobacco farm. The wetlands were created to grow the crops.

Hearing no other comments from the Commissioners Chairman Baker called for a motion.

MOTION: To APPROVE, with the standard conditions, Application #06-2017: Andre J. Groszyk – Property at 10 Harrington Road, Broad Brook containing 17.6 acres with existing home and 3 barns. Nearest intersection is Rice and Harrington Roads. Request to conduct regulated activities to create a 3-lot subdivision (Gabriella Estates) – including one rear lot – to construct 2 new homes with associated driveways and septic systems, and cut and fill earth work to build utilities. Map 106, Block 30, Lot 2.

This approval is granted subject to conformance with the referenced plans (as may be modified by the Conditions) and the following conditions:

REFERENCED PLANS:

3 Lot ReSubdivision Map – Gabriella Estates, Sheet 1, Key Map, Prepared for Andre J. and Ulrika M. Groszyk, 10 Harrington Road, East Windsor, CT., Prepared by DuFour Surveying, LLC., Bristol, CT., Dated 7/20/2016.

3 Lot Resubdivision – Gabriella Estates, Sheet 2 – Topographic Survey, Prepared for Andre J. Groszyk, 10 Harrington Road, East Windsor, CT., Prepared by DuFour Surveying, LLC., Bristol, CT., Dated 7/20/2016.

3 Lot Resubdivision – Gabriella Estates, Sheet 3, Record Resubdivision Map, Prepared for Andre J. and Ulrika M. Groszyk, 10 Harrington Road, East Windsor, CT., Prepared by Dufour Surveying, LLC., Bristol, CT., Dated 7/20/2016.

Lot 1 and 2, Erosion/Sedimentation Control Plan and Concept Grading Plan, prepared for Andre Groszyk, for 10 Harrington Road, East Windsor, CT., Prepared by Sreenath Associates, Somers, CT., Dated 6/25/2016.

Lot 3, Erosion/Sediment Control Plan and Concept Grading Plan, Prepared for Andre Groszyk, for 10 Harrington Road, East Windsor, CT., Prepared by Sreenath Associates, Somers, CT., Dated 6/25/2016.

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Water Main Construction Notes and Erosion/Sediment Control Measures, Prepared for Andre Groszyk, for 10 Harrington Road, East Windsor, CT., Prepared by Sreenath Associates, Somers, CT., Dated 6/7/2016.

Lot 2, Storm Drainage Areas, Prepared for Andre Groszyk, for 10 Harrington Road, East Windsor, CT., Prepared by Sreenath Associates, Somers, CT., Dated 3/26/2017.

Lot 3, Storm Drainage Area to 24" Culvert, Prepared for Andre Groszyk, for 10 Harrington Road, East Windsor, CT., Prepared by Sreenath Associates, Somers, CT., Dated 3/27/2017.

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.

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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.
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.

Talamani moved/Osborn seconded/DISCUSSION: None

VOTE: In Favor: Unanimous (Baker/Osborn/Sawka/Talamini)
(No one opposed/no abstentions)

NEW BUSINESS/3) Appoint Laurie Whitten as Wetlands Agent until the position is filled:

MOTION: To APPOINT Laurie Whitten as the Wetlands Agent until the position is filled.

Talamini moved/Sawka seconded/DISCUSSION: None

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doing; he would also like to see DEEP's Trails Division sign off on this plan as well. Chairman Baker cited the need for consistency regarding plan review.

Mr. Sherman requested to speak from the audience. Mr. Sherman reported the work will be within the old roadbed. They will be moving the dirt to the side and pushing it where it needs to go. Mrs. Sherman reported that the dirt will be moved to the left of the cul-de-sac to be able to install the handicapped port-a-potty. Chairman Baker indicated that's what the Commission needs to talk about; that's why they need to review a plan. Mr. Sherman suggested the people that will be doing the "bridge" do many bridges in the State and are well versed regarding rules and regulations. Mrs. Sherman indicated they won't be doing any remediation. Chairman Baker suggested that perhaps that company has a plan.

Mrs. Sherman indicated the grant was higher but the Town got \$85,000, which was less than was requested. So, instead of having that company do the work it's being done by Town employees as an "in kind" contribution by the Town. It was felt Joe Sauerhoefer may be managing this project. This work will be done the week of July 17th.

Chairman Baker reiterated that the Commission needs to see Mr. Sauerhoefer's plan regarding erosion control; he felt DEEP needs to see the plan as well. Mrs. Sherman suggested they received the paperwork that was part of student senior project; that was submitted to them for the grant. Chairman Baker suggested the Commission needs to see the plan for the construction of the landing of the walkway, etc. because the work is being done in the wetlands, even though the Town is doing the work. Chairman Baker suggested the Commission would like a letter from DEEP indicating their approval of the proposed work. He indicated someone – either the Town or DEEP – needs to acquire a permit for this work.

Chairman Baker indicated he thought Mrs. Sherman was bringing a plan in tonight; Mrs. Sherman indicated she didn't know what this Commission required. Discussion followed regarding scheduling a Special Inland Wetlands Meeting to review the plan on July 12th. Receipt of plan is necessary by July 6th to allow referral to Commissioners prior to the meeting. Discussion continued regarding posting requirements and staffing availability to refer plans to Commissioners prior to meeting.

Mrs. Sherman will contact Mr. Sauerhoefer regarding a plan, and advise the Planning Department accordingly.

VIOLATIONS/1) Show Cause Hearing – Connecticut Mulch/Cease and Desist Order – Unpermitted activity in Upland Review Area and Wetlands – Violation of Section 6.1. North Road/Route 140, B-3 Zone; Map 115, Block 15, Lot 021

Chairman Baker will attempt to contact the representative from Connecticut Mulch again.

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GENERAL BOARD DISCUSSION/1) Discussion on agenda addition – Pledge of Allegiance:

The Commission decided to add the Pledge of Allegiance as a standard agenda item going forward.

PUBLIC PARTICIPATION (Discussion of non-agenda items only):

Mrs. Pippin questioned to process for appointment to the Commission. It was noted Applications are available on the Town website and should be referred to the First Selectmen's Office.

ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 7:50 p.m.

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

Respectfully submitted:

Peg Hoffman, Recording Secretary, Inland Wetlands and Watercourse Commission