

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

**Special Meeting – May 30, 2018**

***MEETING MINUTES***

***\*\*\*\*\*Minutes are not official until approved at a subsequent meeting\*\*\*\*\****

**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 P. Pippin, Jr., Richard Osborn, and Rebecca Talamini, and Alternate Member Michael Sawka.

**Unable to Attend:** All Members present this evening.

**Guests:** First Selectman Robert Maynard, Deputy First Selectman Steve Dearborn, Inland/Wetlands Liaison, Selectman Szymanski; Dory Famiglietti, Kahan, Kerensky & Capossela; Craig Lapinski, Fuss & O'Neill; Joshua Wilson, Fuss & O'Neill; Daniel Thornton, JCY Architecture; John Koplas, representing Foxwoods, and David Atkinson, representing Mohegan; Diane Whitney, Pullman & Comley; Jim and Cher Balch; Marie DeSousa, Bill Loos, John Matthews, Kathy Pippin, Tom Talamini

Chairman Baker noted the establishment of a quorum with 4 Regular and 1 Alternate Members as noted above. All Members will sit in on votes this evening.

Also in attendance were Wetlands Agent Matt Tyksinski and Town Planner Laurie Whitten.

**PLEDGE OF ALLEGIANCE:**

Everyone stood to recite the Pledge of Allegiance.

**NEW APPLICATIONS TO BE RECEIVED: 05-2018 Onyx Building & Remodeling, LLC: 98 Tromley Road:** Request for permit for regulated activities to include construction of new home. Property owned by East Windsor Scout Hall Building Committee. Map 063, Block 20, Lot 036.

Commissioner Talamini read the description of this item of business. Wetlands Agent Tyksinski indicated he spoke to the gentleman involved with this application; he has received an updated wetlands report and the applicant has had a soil scientist sign off on the wetlands map.

**TOWN OF EAST WINDSOR  
INLAND WETLANDS WATERCOURSE AGENCY  
Special Meeting – May 30, 2018  
MEETING MINUTES**

2

**MOTION:** To ACCEPT Application 05-2018 Onyx Building & Remodeling, LLC: 98 Tromley Road: Request for permit for regulated activities to include construction of new home. Property owned by East Windsor Scout Hall Building Committee. Map 063, Block 20, Lot 036.

**Talamini moved/Pippin seconded/DISCUSSION: None.**

**VOTE:** In Favor: Unanimous (Baker/Osborn/Pippin/Sawka/Talamini)

**PUBLIC HEARINGS: 07-2018 MMCT Venture, LLC – 105 Prospect Hill Road.** Request to conduct regulated activities in connection with its development of portions of a new commercial recreation facility/casino. Nearest intersection is Prospect Hill Road (Route 5) and Bridge Street (Route 140). HIZ Zone; Map 102, Block 14, Lot 001.

Secretary Osborn read the description of this Public Hearing.

**MOTION:** To OPEN THE PUBLIC HEARING for Application 07-2018 MMCT Venture, LLC – 105 Prospect Hill Road. Request to conduct regulated activities in connection with its development of portions of a new commercial recreation facility/casino. Nearest intersection is Prospect Hill Road (Route 5) and Bridge Street (Route 140). HIZ Zone; Map 102, Block 14, Lot 001.

**Talamini moved/Pippin seconded/DISCUSSION: None.**

**VOTE:** In Favor: Unanimous (Baker/Osborn/Pippin/Sawka/Talamini)

Chairman Baker announced the Public Hearing on the Application of MMCT Ventures. He indicated that the representatives for MMCT would give their presentation, the public would then be given an opportunity to present their comments. He asked that the public give their names and addresses for the record. Chairman Baker requested that the members of the public keep their comments to wetlands issues; traffic and other issues would be discussed at the Planning and Zoning Commission Meeting.

Attorney Famiglietti, of Kahan, Karensky, and Capposella, introduced herself and the following individuals representing MMCT Ventures: Craig Lapinski, Professional Engineer with Fuss & O'Neill; Joshua Wilson, Soil and Wetlands Scientist of Fuss & O'Neill; and Daniel Thornton, JCJ Architecture. Also present were John Koplas, representing Foxwoods, and David Atkinson, representing Mohegan.

Attorney Famiglietti, reported this is the application of MMCT Ventures for a permit to conduct regulated activities on Prospect Hill Road. She recalled that the Town and MMCT entered into a Development Agreement in February of last year. She noted it takes some time to put together a presentation. They met with Town staff and the Planning and Zoning Commission to hold preliminary discussions on what they were

**TOWN OF EAST WINDSOR**  
**INLAND WETLANDS WATERCOURSE AGENCY**  
**Special Meeting – May 30, 2018**  
**MEETING MINUTES**

proposing for the site, and they have revised the plans to address the comments made during those discussions. Attorney Famigliette indicated they are happy and pleased to be presenting a proposal which demonstrates how this plan avoids impact to regulated resources on the site and how it complies with all the applicable State designs and guidelines, and most importantly, how it complies with the regulations. Attorney Famiglietti then introduced Mr. Craig Lapinski, of Fuss & O'Neill.

Mr. Lapinski offered the Commission an overview of existing and proposed conditions and stormwater management. He indicated the existing conditions map is based on a survey of the site, which is bounded on the north by Route 140/Bridge Street, Prospect Hill Road/Route 5 to the east, the former Walmart, with a connecting driveway, to the south, and Interstate 91 to the west. Mr. Lapinski reported there are 2 areas of wetlands on the western side of the site. The wetlands area includes an existing transmission and distribution line which are located within a 175 foot easement with Eversource. Mr. Lapinski noted the total acreage of the proposed site is 28.575 acres and is comprised of 5 parcels. The cinema site – 105 Prospect Hill Road - contains 26.71 acres, while the 4 residential properties – 119, 115, 113, and 93 Prospect Hill Road – contain 1.87 acres. All parcels are located with the HIZ (Highway Interchange Zone); no part of the site is within the FEMA 100 year or 500 year Flood Zone. The site slopes steeply to the west; the steepest slopes of the parcels are on the east boundary, which is held up by retaining walls or slopes held up with riprap. The center of the parcel, which contained the 59,184 square foot former Showcase Cinema building (now demolished) and its associated 1,017 space parking lot is relatively flat. The residential buildings along Prospect Hill Road will be demolished before construction.

With regard to existing stormwater management, Mr. Lapinski indicated that this is a site which has already been developed. In the parking lot areas there are a number of catch basins and pipes which discharge to 3 different locations on the site, 2 of which discharge into 2 existing stormwater detention basins. The larger basin, located to the north, contains an outlet structure that consists of a 10 inch inlet orifice and an 18 inch RCP (reinforced concrete pipe) that empties into an existing riprap channel. The smaller basin, located to the south, contains an outlet structure consisting of a smaller inlet orifice and an 18 inch RCP that empties into the existing wetlands system. There is a third discharge point which is owned by CTDOT; this discharge point contains a 24 inch RCP which conveys stormwater from Route 5/Prospect Hill Road. Mr. Lapinski also noted that a small portion of the site from the residential units along the easterly boundary run into this area as well. This run off also flows to the west into the 2 catch basins that are connected to the 24 inch RCP which discharges to its own riprap swale. DOT has a 10 foot wide drainage easement and right-to-drain for this discharge. Mr. Lapinski reported that stormwater from the 3 discharge points flow through a riprap channel or existing wetlands system to a 42 inch RCP culvert under the I-91 off ramp. DOT mapping (see Appendix C of the Stormwater Management Report) indicates that the flow eventually flows to the northwest into a 54 inch RCP pipe which eventually empties into the Connecticut River. Mr. Lapinski reported that in general, everything on the site flows

**TOWN OF EAST WINDSOR**  
**INLAND WETLANDS WATERCOURSE AGENCY**  
**Special Meeting – May 30, 2018**  
**MEETING MINUTES**

4

to the west and it all flows through that existing 43 inch culvert which empties into a 54 inch RCP which eventually empties into the Connecticut River.

With regard to proposed conditions, Mr. Lapinski reported the proposal is for the construction of an 188,000+/- square foot single story casino and 1,750 space new 5 deck parking garage. There will be an additional 318 surface parking spaces, and an existing onsite access road, walkways, patios, utilities, landscaping, and stormwater management systems. They are also proposing a new access road – which has been put in for Eversource - on the west side along the water quality basin, and a pylon sign and associated electrical conduit to power the pylon sign. The total impervious coverage will be increased from 12.32 acres, or 43.1% of the site; the total impervious coverage after completion of the project will be 15.25 acres, or 54% of the site. There are 4.96 acres of wetlands currently on site; there will be NO direct wetlands disturbance as a result of this project, although there will be 5.79 acres of regulated activity within the uplands review area.

With regard to proposed stormwater management, Mr. Lapinski indicated the watershed area hasn't changed from the existing conditions to the proposed conditions; they will still have the same 3 discharge points. The first discharge point, the 24 inch CTDOT RCP, will be rerouted further to the north of the proposed parking garage, and they will be eliminating the two existing detention basins behind the residential buildings. There will be less onsite stormwater flowing into the 24 inch pipe after construction than before construction. It will still discharge at the same location; they will continue to use the same riprap swale, which will be cleaned out and replaced if necessary.

Mr. Lapinski reported that the second discharge point will be from the new stormwater quality basin. Eventually, everything from the north of the site, including the parking garage and casino, will be collected and flow into the stormwater quality basin; the new basin will be enlarged and will be replacing the 2 existing basins. The outlet structure will have a higher and smaller inlet orifice and a higher internal weir and a higher top of frame at the top of the structure. They will be reusing the existing 18 inch RCP discharge pipe and existing outlet structure, and repair or replace the riprap swale as necessary. With the new basin they are also proposing a new emergency spillway which will be treated with a bio-soil seed mix, which is specified on the Landscaping Plan.

Mr. Lapinski reported that the third discharge point that they are proposing is at the south end of the site; it will collect all the stormwater from the south and flow through a series of catch basins and management. The discharge point from this area will be relocated 240 feet to the south but will discharge to the same wetlands system as it does today. To compensate for the increased impervious coverage they are proposing 2 underground stormwater detention areas, each consisting of a series of 5 foot high retaining units with sealed bottoms. In addition, they are proposing a series of hydrodynamic separators to treat stormwater, and a new level spreader to dissipate energy as stormwater comes out at the end.

**TOWN OF EAST WINDSOR**  
**INLAND WETLANDS WATERCOURSE AGENCY**  
**Special Meeting – May 30, 2018**  
**MEETING MINUTES**

5

Mr. Lapinski noted that a Stormwater Management Report was included in the application package. They did an existing conditions model and proposed conditions model and looked at pre/post at Design Point A, which they set at the inlet of the 42 inch RCP – as all the stormwater goes to that point they felt it was a good point to access. Mr. Lapinski reported that based on their analysis they predict decrease in the peak flow for 2, 10, 25, and 100 year storm events. Mr. Lapinski indicated they are also proposing deep sumps and catch basins, and a new stormwater quality basin, and hydrodynamic separators; he indicated that those features will remove 80% of the total suspended solids. Based on the water quality volume calculations they included in the report they believe they can treat the entire water quality volume and they can retain more than half of the water quality volume, which is compliant with the Connecticut Construction Stormwater Permit for a site that has more than 40% existing impervious coverage. They have included maintenance procedures for all of the “BMPs” (Best Management Practices) proposed in the stormwater management design. Mr. Lapinski indicated they believe that the stormwater management design proposed meets the requirements of the 2004 Stormwater Quality Manual.

With regard to erosion controls, Mr. Lapinski reported the following highlights:

- New construction entrance
- Silt fence and hay bales will be installed down-gradient of all areas of the site and up-gradient of the wetlands.
- Catch basin inserts for all catch basins
- Temporary sediment traps will be installed throughout the site and are designed with calculations to show they can hold 134,000 cubic yards of sediment storage/acre
- Erosion control blankets to be installed on steep slopes

Mr. Lapinski suggested the erosion and sediment control features designed are consistent with the 2002 Erosion and Sedimentation Control Guidelines..

Mr. Lapinski referenced the proposed Snow Management Plan, which shows areas in purple which are areas where snow will be stockpiled. They have relocated the snow stockpiles to areas so all of the stormwater runoff/melt from there goes into the stormwater management system; there will be NO direct runoff to wetlands; there will be some form of treatment. Mr. Lapinski also noted that during a large storm event, and they need a location to stockpile snow to the south they will use a portion of the parking lot. Although that stockpile would take up a couple parking spaces those spaces probably wouldn't be needed at that time.

Mr. Lapinski turned the presentation over to Joshua Wilson, to describe the wetlands.

Joshua Wilson, of Fuss & O'Neill, joined the Commission. Mr. Wilson introduced himself, noting he is a professional wetlands scientist and registered soil scientist. Mr. Wilson reported they appeared before the Commission in February 2018 when the

**TOWN OF EAST WINDSOR**  
**INLAND WETLANDS WATERCOURSE AGENCY**  
**Special Meeting – May 30, 2018**  
**MEETING MINUTES**

6

wetlands on the site were approved as delineated (wetlands were actually redelineated in September of last year). Mr. Wilson noted that much of what he has to say tonight was discussed during the wetlands delineation application but he will be repeating it tonight for those that might not have been present at that time, as well as for the Public Hearing record.

Mr. Wilson indicated there are 2 wetlands areas on the site, area A which contains 5 acres and is the largest, and (the smaller wetlands) B to the south. He noted wetlands A and B are connected offsite; both train into the 42 inch RCP pipe. Wetlands A is located on the western portion of the site ; the area is fragmented into 3 portions, the first being I-91 to the south which is impacted by the development of I-91 and its associated embankment. Mr. Wilson noted the trees are shorter and shrubbier in that area. Mr. Wilson indicated that area runs into the center third, which is impacted by the right-of-way for Eversource containing the distribution and transmission lines and whatever activity occurs to maintain that right-of-way. The third area is to the east which is affected by activities on the site itself. This area contains more trees and shrubs. Much of wetlands A consists of invasive species, such as honeysuckle, phragmites and other invasive plants, and DOT activities. Wetlands B, which is located offsite, is similar, containing dense shrubs and invasive species (honeysuckle and phragmites), as well, and native Adler. The hydrological function of wetlands A and B is similar, coming from a shallow groundwater discharge coming from the east of the site flowing to the west, and then discharging into the wetlands. Mr. Wilson suggested it's a combination of shallow water discharge that infiltrates the site as well as surface runoff coming from the site flowing into the detention basin and into the wetlands. Wetlands B receives run off from the site and Route 140 and discharges into wetlands B; the groundwater discharges through a 42 inch RCP pipe and discharges off site. The wildlife habitat that is in the area is minimal and limited, often referred to as suburban wildlife. Mr. Wilson suggested that's partly because of the fragmented nature of the wetlands; it doesn't provide high quality wetlands habitat nor does it provide obligate habitat for vernal pool species. The site is substantially disturbed by the activities of DOT and Eversource; the impact limits the function and values to groundwater recharge and discharge and wildlife import/export. Mr. Wilson indicated they did look at endangered and threatened species and none were identified by the State in this area in December of last year.

With regard to impact to the wetlands, Mr. Wilson reported there is NO direct wetlands impact on the site; all proposed activities lie within the uplands review area. Wetlands A will experience 220,800 square feet of disturbance, which includes site grading, alteration and improvements to the existing detention basin – including the access and maintenance road, installation of underground infiltration and detention basins, installation of underground utilities, alterations to the access and maintenance road and associated parking, installation of the pylon sign, and the corner of the proposed building. Wetlands B will experience 331,208 square feet of disturbance in the upland review area, including site grading, underground utilities, and the construction and alterations to the access road.

**TOWN OF EAST WINDSOR**  
**INLAND WETLANDS WATERCOURSE AGENCY**  
**Special Meeting – May 30, 2018**  
**MEETING MINUTES**

Mr. Wilson suggested that the most critical and important time to protect the wetlands is during construction. It's important that the Erosion and Sedimentation Control Plan Mr. Lapinski discussed is implemented and managed appropriately, following Best Management Practices. Mr. Wilson indicated the work to be conducted will be essentially from the inside out; if the wetlands are inside they want to be working from the inside out. So the first and most important part is to establish the boundary to minimize construction activity or any activity entering or altering the wetlands. Mr. Wilson indicated they will start with the installation of silt fence and hay bales and from there working outward installing temporary sediment traps on site, establishing grading - and doing so as early as possible - to stabilize any steep slopes - whether to the expanded detention basin or changes to the access roads on the northern or central part of the site. Mr. Wilson indicated they will also be implementing dust control measures on site. Mr. Wilson also noted they have made a recommendation to avoid any fueling or maintenance of construction machinery on site in areas susceptible to the conveyance to the wetlands, and to provide a secondary containment area if things are stored on site. Mr. Wilson noted that because it's an active construction site that wherever possible they will stabilize temporary stockpiles to minimize erosion.

Mr. Wilson noted that because the site will be subject to a Construction Stormwater General Permit it will be subject to regular monitoring; Mr. Wilson suggested it's important that those requirements be maintained and adhered to. Mr. Wilson reported that following construction, to maintain the quality of the wetlands, they are proposing a maintenance schedule for the stormwater quality management system, which is outlined under the Stormwater Management Report. He cited the importance of installing all the deep sumps, and stormwater quality basins, and hydrodynamic separators, which maintain the 80% removal of total suspended solids. The site design meets the Water Quality Volume requirements of the Connecticut Stormwater Manual and all stormwater structures will be maintained using Best Management Practices, which are also included in the Stormwater Management Report.

Mr. Wilson suggested that there will be NO direct impacts to the wetlands because the erosion and sediment control measures designed and to be implemented are consistent with the 2002 Sediment and Erosion Control Guidelines, and that the Stormwater Management System has been designed consistent with the 2004 Stormwater Quality Manual. Mr. Wilson indicated that it's his professional opinion – for the record - that the site will not have any short term or long term impacts from the proposed activity to the wetlands or watercourses, or any long term productivity of such wetlands and watercourses, that there will NOT be irreversible and irretrievable loss of wetlands or watercourse resources which would be caused by the proposed regulated activity and there will NOT be impacts of the proposed regulated activity outside of the area for which the activity is proposed. Mr. Wilson indicated the site has been designed to avoid any direct impacts and minimize any indirect impacts of development of the site through the stormwater management measures and erosion controls.

**TOWN OF EAST WINDSOR  
INLAND WETLANDS WATERCOURSE AGENCY  
Special Meeting – May 30, 2018  
MEETING MINUTES**

8

Attorney Famiglietti advised the Commission that they received Town Engineer Norton's memo yesterday afternoon and are putting together the additional information he requested; they have prepared a response letter (copy submitted to the Commissioners and for the record). Attorney Famiglietti reported they are confident that they can satisfy his concerns and provide him with the additional information he needs.

Attorney Familigetti cited that Town Engineer Norton's first concern was that there were a couple of property owners within the 500 foot radius that were not mentioned on their Vicinity Plan. Attorney Famiglietti cited she didn't want anyone to think there was a procedural defect with the Hearing tonight. She cited our regulations require notice that all property owners within 100 feet – they did go out. The 500 feet – there were one or two on the perimeter that were shown on the plan that were listed; they added those. Attorney Famigliette noted there was also a condominium development, the first time they checked it on the Assessors' information it just had one property owner. At some point the Assessor must have updated the information and now they have all the individual unit owners in that condo complex. They will add all of their names to the 500 foot limit on the Vicinity Plan. Attorney Famiglietti wanted to assure the Commission the 100 foot abutters were notified; she noted she gave evidence of the mailing receipts to Wetlands Agent Tyksinski.

Attorney Famiglietti indicated they would be happy to answer any questions at this point.

Chairman Baker opened discussion to the Commission members.

Commissioner Osborn questioned Mr. Lapinski's comment that the runoff goes directly into the Connecticut River. Mr. Lapinski suggested the run off makes a number of twists and turns; he referenced appendix C of the Stormwater Management Report. Commissioner Osborn clarified that run off from this site goes into the Blue Ditch, and then continues on to the Connecticut River. Mr. Lapinski agreed but cited ultimately the run off goes into the Connecticut River.

Commissioner Osborn questioned if there was any better erosion controls than silt fence and hay bales? Mr. Lapinski suggested the silt fence and hay bales is a traditional erosion control method, and are what they use on most sites. Commissioner Osborn cited there are other methods that could be used. He cited the Commission often sees a lot of sites that the silt fence is down; if you get big storms the water runs over the silt fence. Commissioner Osborn cited there are other blanket or roll types of erosion controls, or silt socks. Mr. Lapinski indicated that was one of the Town's comments. They originally had only the silt fence and they asked for the double protection to make sure that they had the silt fence backed with hay bales which they agreed to and changed on the revised plan they are showing tonight. Chairman Baker questioned if there was a specific place Commissioner Osborn was considering? Commissioner Osborn felt the whole site would benefit from this erosion control method; he felt there were better methods.



**TOWN OF EAST WINDSOR**  
**INLAND WETLANDS WATERCOURSE AGENCY**  
**Special Meeting – May 30, 2018**  
**MEETING MINUTES**

Chairman Baker questioned Mr. Lapinski what other methods they've seen used recently? He recalled another site recently that the silt fence was constantly knocked down so they moved over to silt socks (which may not be a proper term), but that really improved the cleanliness of the water coming off the site. Mr. Lapinski suggested that no BMPs (Best Management Practices) are going to work if you put them in at the start of construction and don't pay attention to them. If you have a contractor that doesn't pay attention you'll see that. Usually when they use things like "core logs" it's because they are staked in; they usually use them on embankments – like if water is falling down an embankment into a water body – but for here, where it's leveled down before it goes in, the typical thing they use is the silt fence or silt fence backed by hay bales.

Chairman Baker requested more detailed information on the temporary sedimentation traps. Mr. Lapinski cited they included temporary sediment trap sizing because the regulations say they must be able to hold 134,000 cubic yards of sediment storage/acre. He suggested the traps must also be a little bit dynamic with construction because at some point they get in the way and the contractor has to slide them here and there. Mr. Lapinski suggested they wanted to show on the initial plan how they will capture the stormwater; when the site is disturbed, it will flow into the sediment traps and go out of them. They also included sediment control details which shows how the contractor must build them, but they are there so that when the site is disturbed that's when the stormwater runoff hits and detachment occurs and the particles enter the stormwater. Mr. Lapinski cited the temporary sediment traps are important because it gives a little time for the sediment to settle out at the bottom of the trap and the cleaner stormwater will flow out of it. He suggested that like any other BMP you must maintain the traps, clean them out periodically and they must be constructed in the right location. Commissioner Pippin cited Sheet C- 502 shows details of the traps.

Chairman Baker opened discussion to the public; he requested speakers keep their questions specific to wetlands rather than traffic or other issues. He requested people give their name and address for the record.

**Steve Dearborn, Selectman:** Selectman Dearborn suggested if you don't think the silt fence and hay bales will work he has plenty of stumps he can provide.

**Tom Talamini, 23 Rice Road:** Mr. Talamini questioned if the applicant has a Stormwater Management Plan for the temporary sediment traps during construction? He questioned if Fuss & O'Neill will come out to the site periodically to check on the work; is there a plan for that?

Mr. Lapinski cited the following:

- In the Notes section there is a Construction Sequencing Plan which outlines what happens first. Mr. Lapinski cited it's important to stabilize the site first before they start construction.

**TOWN OF EAST WINDSOR  
INLAND WETLANDS WATERCOURSE AGENCY  
Special Meeting – May 30, 2018  
MEETING MINUTES**

10

- There are also specific notes on the plan for the protection of the wetlands.
- We have the Erosion and Sedimentation Control Plan itself.
- And, in the Stormwater Report, for each and every structure they are proposing they discuss the maintenance and how they should be cleaned out.
- As far as how big the temporary sediment traps need to be they have calculations that show how big each of the traps need to be to achieve that 134,000 cubic yards of stormwater storage/acre.

**Jim Balch:** Mr. Balch thought they have done a great job; he felt this is very nice.

**Laurie Whitten, Town Planner:** Town Planner Whitten suggested that when reviewing the plans earlier she felt they were not doing themselves justice because this is actually showing the building to be there , but, before the building is constructed they have the sediment basins in where the building is as well so there will be catchment areas within the building as well during construction. They really have mapped it out quite nicely, and there is a drainage study for each area.

Chairman Baker queried the audience for additional comments; no one else requested to speak. He advised the audience he would give them an additional opportunity for comments later on.

Chairman Baker indicated he wanted to review a couple of housekeeping items. He referenced comment #6 of Town Engineer Norton’s memo – “There appears to be discrepancies between the invert elevations shown on the plans and the design calculations”, and Fuss & O’Neill’s response – “Invert elevation on the Wetlands Permit Package plans will be revised to match the design calculations.” Chairman Baker cited his concern for tracking the revisions to the plan; he queried Wetlands Agent Tyksinski and Town Planner Whitten for comments.

Wetlands Agent Tyksinski suggested they would stay in contact with Fuss & O’Neill, and would go out and do site inspections to make sure they were holding up their end of the bargain.

Chairman Baker cited comment #10 of Town Engineer Norton’s memo – “There appears to be several storm water runs that are undersized”; he requested additional discussion of the discrepancies of the calculations.

Mr. Lapinski indicated he didn’t feel there was a discrepancy. He cited they use a modeling program to select the size of all of the various stormwater pipes that they use, and a couple of the pipes showed that they were under-sized. Town Engineer Norton questioned if those pipes should be larger? Mr. Lapinski suggested the hydraulic grade line, which is really just a line that shows where the water will eventually be in the 25 year storm event, it never overtops any of the detention basins. Since there wasn’t specific design guidance without using a certain storm event for designing the outside

**TOWN OF EAST WINDSOR  
INLAND WETLANDS WATERCOURSE AGENCY  
Special Meeting – May 30, 2018  
MEETING MINUTES**

11

pipes – we’re talking a 25 year storm event which is a pretty high storm event – we thought it was acceptable as it was. If we did go with the larger pipe size then they go into other cover depth and other issues. Mr. Lapinski suggested they thought that the pipe size that they had was the best situation for it. What we’re trying to explain in the report is that we believe, taking all the factors into consideration that it’s not going to overtop during the 25 year storm event, it’s not going to pop out of the catch basins, and the 25 year storm event is a pretty big storm, that it would be acceptable the way they have proposed it. Chairman Baker questioned that they are using an industry standard software that models these inputs and it spits out the calculations and that’s what you base your design on? Mr. Lapinski concurred; he indicated they use HydroCAD and StormCAD and StormCAD is the one that helps with the sizing of the pipes. Town Engineer Norton was looking at output from the model data and he questions if some of the pipes should be bigger. Mr. Lapinski suggested there was an intentional reason why they didn’t go higher on the pipes and it’s kind of like a balancing act. He indicated that different towns handle this differently, but they would be happy to discuss pipe by pipe with Town Engineer Norton.

Chairman Baker referenced Mr. Wilson’s report regarding water quality. He noted Mr. Wilson checked “yes” on the standard form for the statement – “The water quality of the watercourse, pond, or lake associated with this wetlands meets or exceeds Class A or B standards”; he questioned if Mr. Wilson was saying the water coming out of there now is Class A or B; he felt it was not. Mr. Wilson indicated that there’s a defacto statement by the State that goes through all the water quality classifications, etc. If they don’t classify it at all it defaults to Class A. Chairman Baker questioned if they tested it; Mr. Wilson replied negatively – they did not test it. Chairman Baker questioned Mr. Wilson, in your opinion, is the water quality coming out of it better, worse, or the same? Mr. Wilson suggested it’s essentially the same. He noted the way the site is being treated and handled it’s the same to better. They are currently using an older stormwater handling system designed in the 80s or 90s so it would be getting more treatment of suspended solids, and more residence time with sub-surface detention and in the basin itself. Mr. Wilson indicated it’s certainly not worse; it’s the same if not better.

Chairman Baker queried the audience for additional comments.

**Steve Dearborn, East Windsor Selectman:** Selectman Dearborn recalled that there is a good sized water detention basin with a riser to collect the water from the property, and if it gets too high it goes into the basin and runs off. Selectman Dearborn questioned how long the cinema has been there? Town Planner Whitten indicated since the 80s. Selectman Dearborn indicated he has never seen the water get high enough to go over the riser. You never see the water unless you walk over and look in.

**Town Planner Whitten:** She suggested that based on Town Engineer Norton’s memo she doesn’t see anything that will impact the plan itself; it won’t affect the grading or anything of that nature. The proposal will also be reviewed by the Planning and Zoning

TOWN OF EAST WINDSOR  
INLAND WETLANDS WATERCOURSE AGENCY  
Special Meeting – May 30, 2018  
MEETING MINUTES

12

Commission from a non-wetlands viewpoint.

**Commissioner Pippin:** Referencing the water sitting in the pipe, Commissioner Pippin felt it's designed correctly to not have water sitting inside.

And, with regard to erosion controls, he felt that properly installed silt fence, he's seen it installed halfway up; the silt fence will hold properly if they don't use cheap silt fence. Commissioner Pippin suggested if you look across the river they have a lot less going on over there.

Chairman Baker queried the audience again; no one requested to speak.

Chairman Baker called for a motion to close the Public Hearing.

**MOTION:** To CLOSE THE PUBLIC HEARING on the Application 07-2018 MMCT Venture, LLC – 105 Prospect Hill Road. Request to conduct regulated activities in connection with its development of portions of a new commercial recreation facility/casino. Nearest intersection is Prospect Hill Road (Route 5) and Bridge Street (Route 140). HIZ Zone; Map 102, Block 14, Lot 001.

Talamini moved/Osborn seconded/**DISCUSSION:** None.

**VOTE:** In Favor: Unanimous (Baker/Osborn/Pippin/Sawka/Talamini)

**MOTION:** To APPROVE Application 07-2018 MMCT Venture, LLC – 105 Prospect Hill Road. Request to conduct regulated activities in connection with its development of portions of a new commercial recreation facility/casino. Nearest intersection is Prospect Hill Road (Route 5) and Bridge Street (Route 140). HIZ Zone; Map 102, Block 14, Lot 001. Approval includes the following 14 Standard Conditions, and recommendations from Town Engineer Norton under memo dated 5/29/2018, and response from Fuss & O'Neill dated 5/30/2018:

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

---

**REFERENCED PLANS:**

**MMCT Venture, LLC, Wetlands Package (5/02/2018, revised 5/23/2018 as noted)**

- Project Directory, Wetlands Permit Package, dated 5/02/2018, prepared by Wiggin & Dana, LLC, 265 Church Street #14, New Haven, CT.

**TOWN OF EAST WINDSOR  
INLAND WETLANDS WATERCOURSE AGENCY  
Special Meeting – May 30, 2018  
MEETING MINUTES**

13

- **Drawing List G001, dated 5/2/2018 Wetlands Package, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Property/Boundary Survey VB-01, dated 10/17/2017, prepared by Fuss & O'Neill, 146 Hartford Road, Manchester, CT.**
- **Topographic Survey VT-01, dated 10/17/2017, prepared by Fuss & O'Neill, 146 Hartford Road, Manchester, CT.**
- **Topographic Survey VT-02, dated 10/17/2017, prepared by Fuss & O'Neill, 146 Hartford Road, Manchester, CT.**
- **Civil General Notes C-001, dated 5/2/2018 Wetlands Package, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Vicinity Plan C-002, dated 5/2/2018 Wetlands Package, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Wetlands Plan C-003, dated 5/2/2018 Wetlands Package, revised 5/23/2018, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Snow Storage Plan C-004, dated 5/2/2018 Wetlands Package, revised 5/23/2018, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Site Preparation Plan C-101, dated 5/2/2018 Wetlands Package, revised 5/23/2018, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Site Preparation C-102, dated 5/2/2018 Wetlands Package, revised 5/23/2018, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Site Preparation Plan C-103, dated 5/2/2018 Wetlands Package, revised 5/23/2018, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Erosion and Sediment Control Plan C-104, dated 5/2/2018 Wetlands Package, revised 5/23/2018, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**

**TOWN OF EAST WINDSOR  
INLAND WETLANDS WATERCOURSE AGENCY  
Special Meeting – May 30, 2018  
MEETING MINUTES**

14

- **Erosion and Sediment Control Plan C-105, dated 5/2/2018 Wetlands Package, revised 5/23/2018, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Erosion and Sediment Control Plan C-106, dated 5/2/2018 Wetlands Package, revised 5/23/2018, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Overall Site Layout Plan C-200, dated 5/2/2018 Wetlands Package, revised 5/23/2018, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Site Layout Plan C-201, dated 5/2/2018 Wetlands Package, revised 5/23/2018, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Site Layout Plan C-202, dated 5/2/2018 Wetlands Package, revised 5/23/2018, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Site Layout Plan C-203, dated 5/2/2018 Wetlands Package, revised 5/23/2018, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Grading and Drainage Plan C-301, dated 5/2/2018 Wetlands Package, revised 5/23/2018, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Grading and Drainage Plan C-302, dated 5/2/2018 Wetlands Package, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Grading and Drainage Plan C-303, dated 5/2/2018 Wetlands Package, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Utility Plan C-401, dated 5/2/2018 Wetlands Package, revised 5/23/2018, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Utility Plan 402, dated 5/2/2018 Wetlands Package, revised 5/23/2018, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**

**TOWN OF EAST WINDSOR  
INLAND WETLANDS WATERCOURSE AGENCY  
Special Meeting – May 30, 2018  
MEETING MINUTES**

15

- **Utility Plan C-403, dated 5/2/2018 Wetlands Package, revised 5/23/2018, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Planting Plan L-101, dated 5/2/2018 Wetlands Package, revised 5/23/2018, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Planting Plan L, 102, dated 5/2/2018 Wetlands Package, revised 5/23/2018, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Planting Plan L-103, dated 5/2/2018 Wetlands Package, revised 5/23/2018, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Erosion & Sedimentation Control Details C-501, dated 5/2/2018 Wetlands Package, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Erosion & Sediment Control Details C-502, dated 5/2/2018 Wetlands Package, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Site Details C-503, dated 5/2/2018 Wetlands Package, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Site Details C-504, dated 5/2/2018 Wetlands Package, revised 5/23/2018, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Site Details C-505, dated 5/2/2018 Wetlands Package, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Site Details C-506, dated 5/2/2018 Wetlands Package, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Site Details C-507, dated 5/2/2018 Wetlands Package, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Storm Drainage Details C-508, dated 5/2/2018 Wetlands Package, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**

**TOWN OF EAST WINDSOR  
INLAND WETLANDS WATERCOURSE AGENCY  
Special Meeting – May 30, 2018  
MEETING MINUTES**

16

- **Storm Drainage Details C-509, dated 5/2/2018 Wetlands Package, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Sanitary Sewer Details C-510, dated 5/2/2018 Wetlands Package, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Sanitary Sewer Details C-511, dated 5/2/2018 Wetlands Package, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Water Details 512, dated 5/2/2018 Wetlands Package, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Water Details C-513, dated 5/2/2018 Wetlands Package, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Utility Details C-514, dated 5/2/2018 Wetlands Package, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Landscape Details C-515, dated 5/2/2018 Wetlands Package, revised 5/23/2018, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**
- **Retaining Wall Details AS-200, dated 5/2/2018 Wetlands Package, prepared by JCJ Architecture, 120 Hyshope Avenue, Suite 400, Hartford, CT.**

**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.



**TOWN OF EAST WINDSOR  
INLAND WETLANDS WATERCOURSE AGENCY  
Special Meeting – May 30, 2018  
MEETING MINUTES**

17

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 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.

TOWN OF EAST WINDSOR  
INLAND WETLANDS WATERCOURSE AGENCY  
Special Meeting – May 30, 2018  
MEETING MINUTES

18

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.

**ADDITIONAL CONDITIONS:**

15. Town Engineer Norton recommendations, memo dated 5/29/2018 - See Attachment A.

16. Fuss & O'Neill response dated 5/30/2018 – See Attachment B, 3 pages.

Talamini moved/Pippin seconded/**DISCUSSION:** None.

**VOTE:** In Favor: Unanimous (Baker/Osborn/Pippin/Sawka/Talamini)

**MISCELLANEOUS:** Nothing presented this evening.

**CORRESPONDENCE:** None.

**GENERAL BOARD DISCUSSION:** None.


**PUBLIC PARTICIPATION (Discussion on non-Agenda items only):** None.

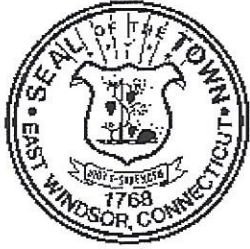
**ADJOURNMENT:**

**MOTION:** To ADJOURN this Meeting at 7:57 p.m.

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

Respectfully submitted:

  
\_\_\_\_\_  
Peg Hoffman, Recording Secretary, Inland Wetlands and Watercourse Commission



**TOWN OF EAST WINDSOR**  
**ENGINEERING & PUBLIC WORKS**  
11 Rye Street, Broad Brook 06016

Leonard J. Norton, P.E. - Director of Public Works/Town Engineer- Phone (860) 292-7073, Fax (860)292-7072

## Interoffice Memorandum

**Date:** 5-29-18  
**To:** Matthew Tyksinski, Assistant Town Planner/ZWEO  
**From:** Mr. Leonard J. Norton, P.E.  
**Re:** MMCT Casino – 105 Prospect Hill Road

---

In response to your request, I have reviewed the site plans and storm water management plan for the subject site by Fuss & O'Neill, revised to 5-23-18 and dated 5-2-18, respectively. My comments are as follows:

1. It appears that all of the property owners within 500' of the site are not listed on sheet C-002.
2. There are no provisions shown for E&S measures for the proposed electric and gas services shown along the driveway on sheet C-106.
3. I recommend that the construction entrance be a minimum of 100' long.
4. The erosion control blanket is not specified.
5. I recommend that the invert elevations be shown on the detail for the underground detention systems.
6. There appears to be discrepancies between the invert elevations shown on the plans and the design calculations.
7. I recommend that design calculations for the level spreader be provided.
8. I recommend that designs for the CDS units be provided.
9. There appears to be minimal freeboard between the peak elevation for the 100 year storm and the tops of the underground detention systems.
10. There appears to be several storm water runs that are undersized.

If the Inland Wetlands Commission is inclined to approve this application, I have no problem with these comments being made a part of conditions of approval.

Please call with questions or concerns.



FUSS & O'NEILL

May 30, 2018

Mr. Leonard J. Norton, P.E.  
Director of Public Works/Town Engineer  
Town of East Windsor  
Engineering and Public Works  
11 Rye Street  
Broad Brook, CT 06016

RE: Response to Comments  
MMCT Casino  
105 Prospect Hill Road, East Windsor, CT

Dear Mr. Norton:

The purpose of this letter is to address comments received from the following Interoffice Memorandum to the East Windsor Planning and Development Department from Leonard J. Norton, P.E., dated May 29, 2018.

For convenience, the original comments have been repeated in *italics* below with our responses immediately afterwards. The comments are in the same order that they were originally presented.

1. *It appears that all of the property owners within 500' of the site are not listed on sheet C-002.*

Sheet C-002 will be revised to include all the property owners within 500'.

2. *There are no provisions shown for E&S measures for the proposed electric and gas services shown along the driveway on sheet C-106.*

Erosion and sediment control measures will be added to sheet C-106 along the electric and gas services.

3. *I recommend that the construction entrance be a minimum of 100' long.*

The construction entrance will be increased to 100' long.

4. *The erosion control blanket is not specified.*

The Erosion Control Blanket detail on sheet C-501 will be modified to include a specific blanket model, or approved equal.

146 Hartford Road  
Manchester, CT  
06040  
t 860.646.2469  
800.286.2469  
f 860.533.5143

www.fando.com

California  
Connecticut  
Maine  
Massachusetts  
New Hampshire  
Rhode Island  
Vermont



FUSS & O'NEILL

Mr. Leonard J. Norton

May 30, 2018

Page 2

5. *I recommend that the invert elevations be shown on the detail for the underground detention systems.*

Invert elevations will be added to the Retain-It Underground Detention System detail on sheet C-507.

6. *There appears to be discrepancies between the invert elevations shown on the plans and the design calculations.*

Invert elevation on the Wetlands Permit Package plans will be revised to match the design calculations.

7. *I recommend that design calculations for the level spreader be provided.*

Design calculations for the level spreader will be added to the Stormwater Management Report.

8. *I recommend that designs for the CDS units be provided.*

Design calculations for the CDS units will be added to the Stormwater Management Report and specific model numbers will be added the Wetlands Permit Package Plans.

9. *There appears to be minimal freeboard between the peak elevation for the 100 year storm and the tops of the underground detention systems.*

Per discussions with the Retain-it manufacturer, freeboard is not typically provided in underground detention systems when they are designed to detain the 100-year storm event. Since the proposed underground detention systems have been designed for the 100-year storm, freeboard was not included in the design.

10. *There appears to be several storm water runs that are undersized.*

The stormwater drainage network was designed for a 25-year storm event. The pipe sizes and the inverts in the design model were based on:

- a) the stage-storage elevations of the stormwater quality basin
- b) minimum cover over the piping
- c) avoiding utility conflicts
- d) Eversource easement grading restrictions

When modeling the 25-year storm event, the hydraulic grade line (HGL) was completely contained within the network and did not overtop any structures.

We believe that this is the optimal layout given the site constraints. We would be willing to discuss the details with you and adjust specific pipes and/or inverts as necessary.



FUSS & O'NEILL

Mr. Leonard J. Norton

May 30, 2018

Page 3

If you have any questions or need additional information regarding any of the above comments, please contact us at (860) 646-2469.

Sincerely,

Joseph Devine, PE, LEP  
Senior Project Manager

Craig M. Lapinski, PE, LEED AP  
Senior Vice President