

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

Regular Meeting – August 1, 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), Rick Osborn, Richard P. Pippin, Jr., and Rebecca Talamini, and Alternate Member Michael Sawka.

Unable to Attend: All Members were present this evening.

Guests: Adam Westhaver, principle in WSG, LLC, and Marek Kement, of Anchor Engineering.

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 was Wetlands Agent Matt Tyksinski.

PLEDGE OF ALLEGIANCE:

Everyone stood to recite the Pledge of Allegiance.

AGENDA ADDITIONS: None.

APPROVAL OF MINUTES/1) July 11, 2018 – Regular Meeting:

MOTION: To APPROVE the Minutes of Regular Meeting of the East Windsor Inland Wetlands and Watercourse Commission dated July 11, 2018 as written.

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

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

NEW BUSINESS/1) 09-2018 WSG, LLC – 140 Wapping Road. Request to conduct regulated activities in upland review area – Earth Excavation. Nearest intersection is Morris Road. Map 017, Block 65, Lot 008-034.

**TOWN OF EAST WINDSOR
INLAND WETLANDS WATERCOURSE AGENCY
Regular Meeting – August 1, 2018
MEETING MINUTES**

2

Appearing to discuss this Application were Adam Westhaver, principle in WSG, LLC, and Marek Kement, of Anchor Engineering.

Mr. Kement explained the application is for work in the upland review area; the work is associated with earth excavation. Mr. Kement gave a description of the location of the property, which consists of two parcels located at 140 Wapping Road. The easterly parcel contains 40 ½ acres, while the second parcel is located to the west and contains 7 ½ acres. The combined parcels are the location of an historical gravel pit, and a Christmas tree farm. A single family residence (Quonset hut) and two tobacco barns are located on the property. The two parcels are separated by railroad tracks.

Mr. Kement reported the wetlands delineation was prepared by George Logan (of REMA Ecological Services). Mr. Logan has identified the soils as two series. Mr. Kement reported that Series A is located in the south end of the easterly parcel. Mr. Logan has identified this area as containing a “poor fen”/bog; he has described this area as a critical habitat containing predominantly a scrub-shrub swamp dominated by leatherleaf and buttonbush; other species observed include sphagnum mosses, white pine, black spruce, Atlantic white cedar, winterberry, and highbush blueberry. Mr. Kement indicated they will NOT be disturbing anything in that area.

The second regulated area – Series B – is located near the barns. This area is poorly drained and shows signs of historical excavation. Mr. Kement suggested the area may be manmade but by definition the area is considered wetlands.

Mr. Kement suggested the proposal is to excavate and then fill the easterly parcel; the westerly parcel will be a fill site. The excavation will occur in four phases. Mr. Kement noted that Planning and Zoning Special Use Permit regulations require that only 7 acres are disturbed at one time. Access will be provided via an old access road, which is currently paved for approximately 600 feet up to one of the barns. Phase I will include the construction of a sedimentation basin/detention area, construction of a scale house, utilities, and a section of rear drive to the rear area. They will be installing an anti-tracking pad to keep the mud from getting onto Wapping Road. They will be installing all the erosion and sedimentation control measures in this area as well. Erosion controls will include installation of silt fence and hay bales.

Mr. Kement noted receipt of a memo from Town Engineer Norton yesterday. Although he has not yet had an opportunity to revise his plans Mr. Kement addressed Town Engineer Norton’s comments (response in italics):

1. Installation of silt fence, backed by hay bales, adjacent to the isolated wetlands area in Phase 1A – *to be installed.*
- 2./3. Recommendation 2 and 3 regarding set back issues – *to be addressed during PZC application.*
4. Detail to be added to proposed outlet riser shown on Sheet 3 – *to be installed.*

TOWN OF EAST WINDSOR
INLAND WETLANDS WATERCOURSE AGENCY
Regular Meeting – August 1, 2018
MEETING MINUTES

3

5. Cross-sections, to scale, to be shown through all sedimentation basins and outlets/spillways – *to be added.*
6. Secondary sedimentation basin shown on Sheet 3 is called a proposed detention area on Sheet 2 – *to be identified the same on revised plans.*
- 7./8. *PZC issues to be addressed during PZC application.*
- 9/10 Drainage Calculations - *to be reviewed*
11. Run detention basin calculations without including the infiltration – *to be reviewed.*
12. Show calculations for maximum water surface elevations for all storms – *to be shown, see summary of drainage report referencing 10 year storm.*
13. Request for larger scaled watershed plans – *to be provided by Planning Staff.*

Regarding the work in the upland review area, Mr. Kement referenced:

Section A – Mr. Kement suggested there will be zero disturbance for over 210 feet from entrance road to delineated wetlands. They will be working in the upland area; everything will be graded to the sedimentation basin, which will outlet into the secondary basin before going into the wetlands to get clean water into the wetlands. There will be 0.8 acres of disturbance in the upland review area due to the installation of the scale house, anti-tracking pads, and utilities.

Section B - Mr. Kement suggested it appears these are high quality wetlands. Mr. Kement indicated this is the reason this is a high quality bog. Chairman Baker questioned that this was a black spruce bog, which he understands is very rare. Mr. Westhaver indicated they will be taking gravel out of this area and then refilling the area with material from the (MDC South Hartford Storage and Conveyance) Tunnel project in Hartford. They will keep some of the existing soils on site to continue an agricultural use in the smaller wetlands. George Logan (of REMA Ecological Services) indicated this is a manmade wetlands which has been filled in with trash and garbage; we'll probably make it better. Mr. Westhaver reported he's a geologist so he wants to maintain the bog.

Commissioner Pippin hoped the material coming in will be clean material to maintain the water levels. Mr. Kement noted a PZC requirement is the activity must be 8 feet above the (ground)water level. Commissioner Pippin, referencing the plan before the Commission, indicated he'd be curious as to where the water table is in relation to elevation 130, which is the lowest level. Mr. Westhaver indicated the distance is 12 to 13 feet. Mr. Kement suggested the work would be monitored. Commissioner Pippin suggested you could be taking 60 feet of material out of that area. Mr. Westhaver indicated the water table in "this" area is 60 to 70 feet; there's 60 feet of material. They'll survey everything. Commissioner Pippin noted that as you go to the east there's an escarpment. Mr. Kement reiterated the Town regulation is 8 feet; Mr. Westhaver reiterated there will be 11 feet.

Chairman Baker questioned if the soil coming in would be tested? Mr. Westhaver replied affirmatively. Chairman Baker questioned if the soils have been tested yet? Mr. Westhaver noted their operation will start in 2 to 3 months. They are required to do

**TOWN OF EAST WINDSOR
INLAND WETLANDS WATERCOURSE AGENCY
Regular Meeting – August 1, 2018
MEETING MINUTES**

4

boring samples; anything bedrock is considered clean material. They'll have slurry coming out; that material will be stockpiled; that material will be determined if it's clean. Chairman Baker questioned how the material coming to East Windsor is determined to be clean? Mr. Westhaver indicated the project will have a licensed environmental professional going in to review the material; if it's determined to be clean then they'll bring it in. Chairman Baker questioned if it was a percentage of the material being tested? Mr. Westhaver continued to explain the process. He questioned why he would bring garbage material into his property?

Chairman Baker noted that area of East Windsor has a high percentage of polluted wells. Mr. Kement suggested DEEP has a threshold of what can be dumped there.

Commissioner Pippin questioned if the material being brought in will be slurry? Mr. Westhaver suggested it will be stone as they pull it out. Commissioner Osborn questioned if the material is brownstone? Mr. Westhaver didn't know; Mr. Kement reiterated the material is from the tunnel project. Mr. Westhaver reported they'll be going down 210 feet for the tunnel. One tunnel is going south; originally another was to go north but they ran out of funding.

Chairman Baker indicated he's a little bit concerned that the Commission has to make this decision without seeing results of the testing. It's wetlands all around this area, and the water will be flowing into the stream. If there's arsenic in the material it will be in the water, and then the groundwater. Mr. Westhaver suggested DEEP has regulations as to where you can put materials. They'll need to do testing of the groundwater. Mr. Westhaver suggested this falls under the State jurisdiction rather than the Town. They need to show the State the material meets the requirement for the project. Mr. Kement suggested the groundwater is lowest at the level of the residence; the amounts coming in are low. Mr. Westhaver reported he can't bring in a level of pollution greater than it's already impacted.

Chairman Baker suggested the work does impact the wetlands and the watercourses; he questioned how Mr. Westhaver validated that? Mr. Westhaver noted they have a third party that will test the materials, and they'll have a paper trail on record at all times to verify that they've brought in the correct materials. Commissioner Osborn recalled that material from Blue Back Square was brought in and dumped behind Baggott's Farm in the past; that was illegal dumping. Chairman Baker cited some of the Commission members have served for 30 years; they've heard many distressing stories. Chairman Baker indicated he understood the State's involvement, but if the Commission were confronted by a resident in the future Chairman Baker suggested adding a condition to the permit that Mr. Westhaver provide copies of the materials testing reports to Planning Staff for review. He noted the Commission has done this in the past with other applicants. Mr. Westhaver concurred, noting the reports are public records, and it's his butt on the line. Mr. Westhaver suggested that any time Staff wants to visit the

**TOWN OF EAST WINDSOR
INLAND WETLANDS WATERCOURSE AGENCY
Regular Meeting – August 1, 2018
MEETING MINUTES**

5

operation they can stop in. Discussion followed regarding methods of transmitting the reports; the tentative arrangement was to e-mail the reports to Staff.

Commissioner Osborn questioned if the abutters had been notified? Mr. Kement indicated a list of abutters had been provided but had not yet been notified as this applicant wasn't a Public Hearing. Mr. Kement also recalled a Text Amendment Application had been heard as a Public Hearing before the Planning and Zoning Commission (PZC); abutters were notified for the Text Amendment Application. Mr. Kement also noted the PZC Special Use Permit which will follow this Application will also be a Public Hearing; abutters will be notified again at that time.

Commissioner Pippin questioned what would happen if the PZC wants to move the access road, and it gets closer to the wetlands? Chairman Baker suggested if the Application is changed from what the Commission is hearing tonight the Applicant would have to return to the Wetlands Commission for approval of the changes. Chairman Baker suggested the Commission could hold a Special Meeting if necessary, as he felt that decision would be too large for an Agent Decision. Mr. Westhaver reported anything they'll be doing WON'T affect the bog. Mr. Kement concurred, noting they'll try to stay as far away from the wetlands with their activities as possible.

The Commission returned discussion to the content of the fill material and submission of the materials testing reports. Mr. Westhaver explained the process; a third party environmental professional tests the various stockpiles of material before it leaves the site. That data comes to the (receiving) property owner, who reviews the information from a stockpile. If they feel the material is ok they'll take it; they have bills of lading regarding the material brought in. Chairman Baker questioned if the testing is done under a hazardous waste permit? Mr. Westhaver replied negatively, noting the material isn't hazardous. Commissioner Osborn questioned if the material will be trucked in, or will Mr. Westhaver use the railroad? Mr. Westhaver suggested they've considered using the railroad; at this point they're considering that as a future use. He noted they've done a traffic study of Wapping Road; it's only used 15% of the time. They won't go through town with their trucks. Mr. Kement indicated they've shown the railroad as a future use so they don't have to return to both Boards if, or when, they use the rails. Commissioner Talamini questioned where the stockpiles would be located if they use the railroad? Mr. Kement referenced a location on the plans.

Chairman Baker queried the Commissioners for additional comments; no one had additional questions.

Wetlands Agent Tyksinski questioned how often the reports would be submitted? Mr. Westhaver indicated he could send them as often as the reports are submitted to him.

**MOTION: To APPROVE Application 09-2018 WSG, LLC – 140 Wapping Road.
Request to conduct regulated activities in upland review area – Earth**

**TOWN OF EAST WINDSOR
INLAND WETLANDS WATERCOURSE AGENCY
Regular Meeting – August 1, 2018
MEETING MINUTES**

6

Excavation. Nearest intersection is Morris Road. Map 017, Block 65, Lot 008-034, with the 14 standard conditions, and the following

Additional Condition:

- 1. WSG, LLC to periodically supply the Planning Office with environmental reports regarding the contents of material being brought to the site.**

Osborn moved/Talamini seconded/DISCUSSION: None.

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

AGENT DECISIONS/1) 10-2018 Justin Barber – 310 North Road. Request to conduct regulated activities in upland review area to construct new home. Nearest intersection 1000 feet from Harrington Road. Map 117, Block 29, Lot 009.

Wetlands Agent Tyksinski noted the Agent Decision was approved at the previous meeting. Commissioner Talamini's questioned if everything was good; Wetlands Agent Tyksinski replied affirmatively.

ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 7:43 p.m.

Talamini moved/Baker seconded/

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

Respectfully submitted:

Peg Hoffman, Recording Secretary, Inland Wetlands and Watercourse Commission