

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

**Regular Meeting – July 1, 2015**

**\*\*\*\*\* DRAFT DOCUMENT subject to Commission Review\*\*\*\*\***

**CALL TO ORDER:** Vice Chairman Slate 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 Robert Slate, Vice Chairman; Dave Menard, Richard Osborn, and Richard P. Pippin.

**Unable to Attend:** Alternate Members Michael Sawka, and Steve Smith

**Guests:** Deputy Selectman Jason Bowsza, Inland/Wetlands Liaison; Alan Baker, Regular Member – term beginning July 2, 2015.

Vice Chairman Slate noted the establishment of a quorum with 4 Regular Members as noted above. All Regular members will sit in on votes this evening. .

Also in attendance was Wetlands Enforcement Official Robin Newton.

**AGENDA ADDITIONS:**

**MOTION:** To ACCEPT the following Agenda Additions:  
1) Under **AGENT DECISIONS** #05-2015 – Town of East Windsor – Main Street, Broad Brook. Request to replace damaged drainage pipe requiring new scour hole & riprap. Map 088, Block 47, Lot 002.  
2) **NEW BUSINESS** #03-2015 – Town of East Windsor – Wells Road. Request to add drainage improvements adjacent to 193 Wells Road. Map 85, Block 31, Lot 1D

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

**APPROVAL OF MINUTES – June 3, 2015:**

**MOTION:** To APPROVE the Minutes of Regular Meeting dated June 3, 2015 as presented.

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

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**CONTINUED PUBLIC HEARINGS:** None.

**NEW APPLICATIONS TO BE RECEIVED/1) Application #04-2015 – Eversource Energy - Area Work Center, Phase II Improvements – Request to conduct regulated activities to construct covered parking and storage yard in Upland Review Area. . Property located at Prospect Hill Road and North Road. Map 102, Block 17, Lot OC-1**

Wetlands Enforcement Official Newton noted this Application is being received tonight under Statutory guidelines. The proposal is for Eversource to add covered parking and a storage yard in the Upland Review Area at their location at Prospect Hill Road and North Road. She noted the Commission will hold a Special Meeting on July 22<sup>nd</sup> to move the Application along. Additional information available to the Commissioners through the Planning Office are the following: larger scale plans, a drainage report, a Wetlands Report, and a Natural Diversity Database Report.

Wetlands Enforcement Official Newton reported wetlands do exist on this site but they have already been impacted by the construction of the main building. The Applicant is proposing to tie new drainage into the existing drainage system. Wetlands Enforcement Official Newton reported there is no direct impact to the wetlands as a result of this Application.

**MOTION: To RECEIVE Application #04-2015 – Eversource Energy - Area Work Center, Phase II Improvements – Request to conduct regulated activities to construct covered parking and storage yard in Upland Review Area. .Property located at Prospect Hill Road and North Road. Map 102, Block 17, Lot OC-1**

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

**VOTE: In Favor: Unanimous**

**NEW BUSINESS #03-2015 – Town of East Windsor – Wells Road. Request to add drainage improvements adjacent to 193 Wells Road. Map 85, Block 31, Lot 1D**

Wetlands Enforcement Official Newton noted this Application was received at the Commission's June 3, 2015 Meeting. The Commission also heard discussion of this proposal when the Rodrigue Subdivision was presented. During that presentation Mr. Ussery noted there is a low spot in Wells Road which causes ponding under current conditions. The proposal is for the water to be piped through a wetlands on the Rodrigue property; the water will discharge at the back towards the slope. Town Engineer Norton has submitted this Application in response to that discussion. Wetlands Enforcement Official Newton suggested any disturbance will be temporary; the area will return to its regular state after the re-vegetation is completed.

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Commissioner Pippin questioned when the work is scheduled? He felt it should be completed prior to the Fall. Wetlands Agent Newton suggested Town Engineer Norton will begin as soon as he can following approval.

**MOTION: To APPROVE Application #03-2015 – Town of East Windsor – Wells Road. Request to add drainage improvements adjacent to 193 Wells Road. Map 85, Block 31, Lot 1D; application approved with 14 standard conditions:**

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

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**REFERENCED PLANS:**

- **“Town of East Windsor, Wells Road, East Windsor, CT., Drainage Plan”;**  
**Prepared by J. R. Russo and Associates, LLC. May 21, 2015, Sheet 1 of 1.**

**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.

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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.
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.

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

**VOTE: In Favor: Unanimous**

**OLD BUSINESS: None.**

**MISCELLANEOUS: None.**

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**AGENT DECISIONS: #05-2015 – Town of East Windsor** – Main Street, Broad Brook. Request to replace damaged drainage pipe requiring new scour hole & riprap. Map 088, Block 47, Lot 002.

Wetlands Enforcement Official Newton reported this Application is to replace a culvert and pipe in the parking lot of Village Pizza. The drainage system is the Town's responsibility. Repairs were made some time ago but the culvert and pipe require replacement again. Wetlands Enforcement Official Newton noted she and Town Engineer Norton inspected the site and have decided to add a scour hole and riprap along the ditch because the drainage runs into Butternut Brook.

Wetlands Enforcement Official Newton reported she has approved this work (with the standard 14 conditions) as an Agent Decision; the Commission concurred with her conclusion. (No motion needed.)

**STATUS REPORTS:**

- Wetlands Enforcement Official Newton reported the developer for Newberry Village stopped into the Planning Office to request assistance regarding establishing the bonding value for the next phase of construction. He is proposing to reduce the number of units in this phase. Wetlands Enforcement Official Newton reported she and Town Engineer Norton are meeting with the developer at 10:00 a.m. next Monday morning; IWWA Commissioners are welcome to attend the meeting.
- Wetlands Enforcement Official Newton reported there had been a significant balance remaining in the account funding the Kogut remediation. \$42,000.00 was paid to assist with the dredging of the reservoir at East Windsor Park. A small balance is being retained for potential items which may still be necessary for this project, such as plantings, etc. The funding must be used for water quality issues only.

**VIOLATIONS:** None to report.

**CONFERENCES/SEMINARS/TRAINING:**

Wetlands Enforcement Official Newton reported earlier today she attended Session II of the Inland Wetlands training. The subject of the day related to legal issues. Although the topics are associated with zoning issues two applied to Inland Wetlands procedures as well. The issues of interest were:

- Inland Wetlands Staff does NOT have to perform Title Searches on properties.
- A Federal Appellate Court ruled regarding the substantive due process actions associated with various commissioner/public officials actions.

Wetlands Enforcement Official Newton will provide copies of hand-outs to

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Commissioners at the August Regular Meeting.

**CORRESPONDENCE:** None.

**GENERAL BOARD DISCUSSION:** None.

**PUBLIC PARTICIPATION (Discussion of non-Agenda items only):**

Pending Commissioner Baker reported he was hoping to give kudos to Chairman Savaria for the great job he has done leading the Commission during his term.

**ADJOURNMENT:**

**MOTION: To ADJOURN this Meeting at 7:29 p.m.**

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

Respectfully submitted:

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Peg Hoffman, Recording Secretary, Inland Wetlands and Watercourse Commission