

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

**Regular Meeting – October 7, 2015**

***MEETING MINUTES***

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

**CALL TO ORDER:** 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 (Chairman), Alan Baker, Dave Menard, Richard Osborn, and Richard P. Pippin, Jr., and Alternate Members Michael Sawka and Steve Smith.

**Unable to Attend:** All Regular and Alternate Members were present.

**Guests:** Deputy Selectman Jason Bowsza, Inland/Wetlands Liaison (arrived at 7:14 p.m.).

Chairman Slate noted the establishment of a quorum with 5 Regular and 2 Alternate 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:**

Chairman Slate noted receipt of Agenda Addition under New Business Item 2, for Herbert and Kathleen Holden for an As-Of-Right-to-Farm activity at 47 Broad Brook Road, Broad Brook. –

**APPROVAL OF MINUTES /1) September 2, 2015 – Regular Meeting:**

**MOTION:** To APPROVE the Minutes of Regular Meeting dated September 2, 2015 as written.

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

**VOTE: In Favor: Baker/Menard/Pippin/**

**Opposed: No one**

**Abstained: Osborn (not present)**

**CONTINUED PUBLIC HEARINGS:** None.

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**NEW APPLICATIONS TO BE RECEIVED:** None.

**NEW BUSINESS/1) #06-2015 – Town of East Windsor** – Public Works Garage – 6 Woolam Road. Request to conduct regulated activities to repair drainage system. Nearest intersection is at Scantic Road. Map 044, Block 34, Lot 001.

Chairman Slate read the description of this Item of Business. Appearing to present the Application was Town Engineer Norton.

Town Engineer Norton reported that towards the rear of the Town Garage property there is an existing drainage discharge pipe which has been in place for some time. Due to time and erosion a few sections of the discharge pipe have dislodged, and erosion is occurring on the slope. To remedy this situation Town Engineer Norton proposes to reapply riprap to the slope; he will also install a scour hole in the riprap and create a berm at the top of the slope to prevent the area from continuing to wash away.

Commissioner Osborn questioned if the runoff from Scantic Road also drains into this area? Town Engineer Norton reported that run off actually drains into an area just beyond this proposal. He recalled the Scantic Road drainage area was repaired a couple of years ago.

Commissioner Baker questioned what was causing the erosion? Town Engineer Norton suggested the area is impacted by terrace escarpment slopes.

Commissioner Pippin questioned how fast the work would be done? Town Engineer Norton reported he has an RFD prepared which he will process after approval is granted; he wants to get the work done before the end of the year.

**MOTION: To APPROVE Application #06-2015 – Town of East Windsor – Public Works Garage – 6 Woolam Road. Request to conduct regulated activities to repair drainage system. Nearest intersection is at Scantic Road. Map 044, Block 34, Lot 001. :**

**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:**

- Existing Conditions Prepared for Town of East Windsor – department of Public Works, “Drainage Repair Plan” by J. R. Russo & Associates, LLC, 1 Shoham Road, East Windsor, CT. 06088 CT. Dated December 12/22/2011 Latest Revision Date 8/26/2015.

**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.
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

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- 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/Pippin seconded/DISCUSSION: None**

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

**NEW BUSINESS/2) Herbert and Kathleen Holden** for an As-Of-Right-to-Farm activity at 47 Broad Brook Road, Broad Brook. –

Appearing to discuss this proposal was Jay Ussery, of J. R. Russo & Associates. Also present in the audience representing the Applicant was Herb Holden, Jr.

Mr. Ussery reported the Holdens operate Double H Acres at 47 Broad Brook Road. They are proposing to build a new cow barn a little to the north of the Holden's home and sort behind the Griswold property. Mr. Ussery reported the wetlands have been delineated by John Ianni, and are represented by the green crosshatched area on the plans. The proposed barn will be built to the north of the wetlands; therefore there will be NO disturbance to the wetlands. All proposed activity (grading) will occur in the regulated upland review area. They are proposing a new driveway from one of the smaller existing barns. The new barn will be served by water and electricity.

Mr. Ussery felt that this being an agricultural use it would fall under the As-Of-Right exemption which doesn't require the issuance of an actual permit. They are presenting this proposal to the Commission to acquire agreement on the As-Of-Right interpretation.

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LET THE RECORD SHOW Selectman Bowsza arrived at 7:14 p.m.

Mr. Holden, Jr. reported they currently have 12 acres of pasture which they don't grow anything on as it's an area restricted for use by the grazing cows, especially during the Winter.

Wetlands Enforcement Official Newton noted there is an exemption for agricultural buildings which are essential to the agricultural business; she suggested they are NOT proposing to fill any of the wetlands area.

Commissioner Baker questioned if the Commission has any purview over the drainage? Wetlands Enforcement Official Newton replied negatively. She clarified that if they were filling in the wetlands for the road that would bump it out of the exemption but they are not doing that.

Commissioner Osborn questioned if they would be putting in footings for the barn? Mr. Ussery replied affirmatively; Wetlands Enforcement Official Newton clarified that activity is occurring in the upland review area.

Commissioner Pippin questioned if they are proposing a pole barn? Mr. Holden, Jr. replied negatively. Commissioner Pippin questioned if they would be starting the project this year? Mr. Holden, Jr. replied affirmatively.

Commissioner Baker questioned what they will do with the manure? Mr. Holden, Jr. reported it gets pushed back into the ground presently as the cows roam but with the new barn they will be able to store manure for use as fertilizer for the farming activity.

Chairman Slate queried the Commissioners for additional questions; no one raised any additional comments.

**MOTION: That the construction of a new barn proposed by Herbert and Kathleen Holden at 47 Broad Brook Road, Broad Brook, CT. Map 118, Block 36, Lots 134 & 2 qualifies for an As-Of-Right-to-Farm activity.**

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

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

**OLD BUSINESS:** None.

**MISCELLANEOUS:** None.

**AGENT DECISIONS:** None.

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**STATUS REPORTS:**

Wetlands Enforcement Official Newton reported she and Town Engineer Norton will be meeting with Jim Giorgio (Newberry Village) tomorrow to resolve the outstanding bonding issues. She has been holding up approval of Zoning Permits until they can meet agreement on the bonding amount.

**VIOLATIONS:** None.

**CONFERENCES/SEMINARS/TRAINING:** None.

**CORRESPONDENCE:** None.

**GENERAL BOARD DISCUSSION:**

Wetlands Enforcement Official Newton advised the Commissioners she has recently given the Town notice regarding her employment. She is moving on to a different municipality for an opportunity she couldn't pass up. Wetlands Enforcement Official Newton reported that she probably would still have continued in her present position if not for the other issues going on. She reported the Dearborn issues have been going on for years and have been ramped up since he became a Selectman. She cited as an example the recent Ethics Complaint, and also noted a co-worker in town who is one of Mr. Dearborn's cohorts has become involved as well. When this opportunity presented itself she decided to give her notice.

Commissioner Baker suggested he personally is sad to see her leave. Wetlands Enforcement Official Newton reported the new position is for a larger municipality, she will not be required to attend night meetings, and she will be receiving a significant pay increase. She will be working with people she has been associated with in CAZEO; it was an opportunity she couldn't pass up when they approached her.

Commissioner Pippin suggested the Commission send Wetlands Enforcement Official Newton off with a vote of confidence.

**MOTION: To give Wetlands Enforcement Official Newton a vote of confidence.**

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

**PUBLIC PARTICIPATION:**

**Kathy Pippin**, speaking from the audience, cited Wetlands Enforcement Official Newton for her outstanding work over the past years. Mrs. Pippin suggested Steve Dearborn is embarrassing and a disgrace; she would like to see him out of office but doesn't know what to do to accomplish that. Mrs. Pippin suggested Wetlands Enforcement Official

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Newton is the third person he has forced out.

**Deputy Selectman Bowsza, 34 Rye Street** reported Wetlands Enforcement Official Newton has done a fantastic job; it will be hard to fill her shoes. He also felt the new position is a fantastic opportunity for her.

**ADJOURNMENT:**

**Chairman Slate ADJOURNED this Meeting at 7:25 p.m.**

Respectfully submitted:

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Peg Hoffman, Recording Secretary, Inland Wetlands and Watercourse Commission