

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

Regular Meeting – March 5, 2014

MEETING MINUTES

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

CALL TO ORDER: Chairman Savaria 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 Ron Savaria (Chairman), John Malin, Dave Menard, Richard Osborn, and Alternate Members Kathryn Roloff and Michael Sawka.

Unable to Attend: Regular Member Robert Slate

Guests: Selectman Jason Bowsza (Inland/Wetlands Liaison).

Chairman Savaria noted the establishment of a quorum with 4 Regular and 2 Alternate Members as noted above. All Regular members and Alternate Member Roloff will sit in on votes this evening. .

Also in attendance was Wetlands Agent/Zoning Enforcement Officer Robin Newton.

AGENDA ADDITIONS:

MOTION: To ADD to the Agenda under **NEW APPLICATIONS TO BE RECEIVED** Application #03-2014: John Burnham – Request to conduct regulated activities for the construction of a single family home at 2 Rye Street, nearest intersection is Windsorville Road. Assessor’s Map 88, Block38, Lot 011.

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

APPROVAL OF MINUTES/1) December 4, 2013 Regular Meeting

MOTION: To APPROVE the Minutes of Regular Meeting dated December 4, 2013 as presented.

Osborn moved/Malin seconded/

VOTE: In Favor: Malin/Menard/Osborn/Savaria

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**Opposed: No one
Abstained: Roloff**

CONTINUED PUBLIC HEARINGS: None.

NEW APPLICATIONS TO BE RECEIVED:

Receipt of the Application #03-2014 for John Burnham for a request to conduct regulated activities for the construction of a single family home at 2 Rye Street, nearest intersection is Windsorville Road - Assessor's Map 88, Block38, Lot 011 was acknowledged.

Wetlands Agent Newton advised the Commission she would discuss this proposal later in the meeting to determine if a Public Hearing should be held on this application.

NEW BUSINESS/1) 01-2014 – RRC Management, LLC d/b/a R & R Tool & Die – 94 Newberry Road – Request to conduct regulated activities to construct a 6,0000 square foot building addition and associated parking/driveway at 94 Newberry Road. Property is located at the south side of Newberry Road at the corner of Craftsman Road. Map 93, Block 19, Lot 011:

Chairman Savaria read the description of this item of business. Appearing to discuss this application was Jay Ussery, of J. R. Russo and Associates, LLC.

Mr. Ussery explained this Application is to conduct regulated activity within the upland review area at 94 Newberry Road, which is located at the intersection of Newberry Road and Craftsman Road. R & R Tool is a tool and die company which manufactures machine parts; they currently occupy a 6,000 square foot building with associated parking. The proposal is for a 6,000 square foot addition to the back of the building, construction of new access on Craftsman Road, and a realignment of the curb cut on Newberry Road.

Mr. Ussery noted there is no direct impact to wetlands, although the addition will impact the upland review area. The wetlands were delineated in January 2014 by John Ianni, who reported the on-site wetlands consist of a man-made drainage swale along the western property line, a small brook in the southern area of the property, and an isolated pocket of wetlands in the woods south of existing lawn area.

Mr. Ussery explained that both the existing building, and the proposed addition, occur in the upland review area. Approximately one half of the existing drive and access to the loading dock are located in the upland review area as well. Mr. Ussery noted that there is no formal drainage system associated with the property currently, as the business has been operating for over 30 years. Under this Application they are proposing to install a small water quality basin on the south side of the parking lot which will provide a little

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more treatment of the run off than presently occurs, Drainage calculations were submitted to Town Engineer Norton; the Planning Department has received a final memo from Town Engineer Norton which indicates his earlier comments of 1/9/2014 have been adequately addressed.

Wetlands Agent Newton indicated she has reviewed the proposal. Her only recommendation would be for the silt fencing which is proposed to be installed to the south and southwest should be changed to hay bales.

Discussion followed regarding the loading dock; Chairman Savaria questioned if it's considered a sunken dock? Mr. Ussery clarified that the pavement falls off towards the back of the loading dock. Chairman Savaria questioned what would happen to the roof drainage? Mr. Ussery reported it currently flows via a pipe into the ditch; the plan is to leave the pipe in place and tie the roof leaders into that system. Chairman Savaria questioned the trailers to the rear of the property; Mr. Ussery felt those would be removed. Chairman Savaria questioned what the covered structure to the rear was used for? Mr. Ussery felt it was storage for sand and salt; Commissioner Osborn suggested they probably store sand to tumble the parts they manufacture.

Chairman Savaria indicated he didn't see any great impact to the wetlands, and they are installing a basin to improve the water quality. Wetlands Agent Newton concurred, noting the basin is designed to treat the water quality; the design has been reviewed by Town Engineer Norton. Chairman Savaria also noted the drainage calculations indicated there will be a reduction in run-off; Mr. Ussery concurred, noting there will be a slight reduction. Chairman Savaria queried the other Commissioners for comments; no one raised any questions, or had any negative comments.

Mr. Ussery noted R & R is doing well from a business standpoint. They currently lease space elsewhere to store supplies for the business. They have chosen to expand this location in East Windsor rather than continue to utilize the off-site location.

MOTION TO APPROVE: IWWA Application No. 01-2014 – RRC Management, LLC – R&R Tool Die – Construction of a 60000 square foot addition and associated parking – 94 Newberry Road.

This approval is granted subject to conformance with the referenced plans, “R&R Tool & Die, LLC – 94 Newberry Road, East Windsor, CT., Prepared by J. R. Russo & Associates, LLC – 1 Shoham Road, East Windsor, CT., Dated: 1-3-14, Revised through 1-14-14”.

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

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- 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 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

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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.

Additional Conditions:

14. **The permit holder will submit a start work notice and contractor's compliance statement to the Wetland Agent prior to starting any work authorized by this permit. Copies are attached.**

Osborn moved/Roloff seconded/

DISCUSSION: None.

**VOTE: In Favor: Malin/Menard/Osborn/Roloff/Savaria
(No one opposed/No abstentions)**

NEW BUSINESS/2) 02-2014 – Chris LeFleur (spelling should be LaFleur)– 222 North Road – Request to conduct regulated activities to regrade front yard at 222 North Road. Property is located on the south side of North Road at the intersection of North and Melrose Road. Map 126, Block 27, Lot 010:

Chairman Savaria read the description of this item of business. Appearing to discuss this Application was Todd Clark, of Aschlemin Land Surveying, and the applicant, Chris LaFleur.

Mr. LaFleur reported he would like to regrade the front of his property, he has an opportunity to acquire fill which he would like to place in the front of his property to flatten out the lawn area. The work involves a wetlands area. Mr. Clark noted the area which would be disturbed is approximately 20' x 50', or approximately 1,050 cubic feet of disturbance. Mr. Clark referenced the report submitted by the soil scientist, James Sipperly; this work will not have a significant impact on the wetlands which Mr. Sipperly

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has identified as having a low value. Mr. Clark referenced the work for the installation of the sewer main which is occurring along North Road; he suggested the disturbance associated with the sewer installation will cause twice as much disturbance as the work being proposed by Mr. LaFleur. Mr. Clark also indicated they realize this swale is a drainage route for the neighbor; they will enable the current pattern to continue. Mr. Clark indicated a couple of large trees in the front yard will be removed; Mr. LaFleur suggested he would like to add more landscaping to the front yard.

Wetlands Agent Newton noted that part of the Water Pollution Control Authority (WPCA) Application was to move this wetlands and drainage area over; does this proposal for Mr. LaFleur take that into consideration? Mr. LaFleur indicated he has an opportunity to acquire fill; he would like to improve his front yard so he isn't the only one on Rout 140 that has a bowl-pitched yard. He will just be raising the front yard. Wetlands Agent Newton questioned if this survey work was done after the sewer work was proposed? Mr. Clark suggested they (the WPCA) will be disturbing Mr. LaFleur's temporary apron when they do their work. Wetlands Agent Newton questioned if Mr. LaFleur would be getting fill from the sewer project? Mr. LaFleur replied affirmatively, noting if Spazzarini would work with him. Mr. LaFleur reported he will be doing the work himself; he will remove his top soil and stockpiling it to return it to the yard. He will be temporarily storing material off-site while he completes the work. Commissioner Osborn requested a clarification of the sequence of the work; Mr. LaFleur reported he will be removing the top soil, stockpiling it, and then returning it to the yard after adding the fill. Wetlands Agent Newton noted there is a definition of clean fill which Mr. LaFleur must take into consideration when doing this work.

Chairman Savaria suggested this area has been disturbed in the past. Commissioner Roloff suggested the wetlands was created by whoever put in the road. Chairman Savaria also noted the drainage calculations indicate this work won't flood the Dickenson property to the east.

Wetlands Agent Newton requested an additional condition to address the movement of material to another location. The amount of material must be under 100 cubic yards, and must not go into another wetlands.

Chairman Savaria questioned the Commissioners for questions or additional comments; no one raised any additional concerns.

MOTION TO APPROVE: IWWA Application No. 02-2014 – Chris LaFleur – 222 North Road – Application for Regulated activity associated with filling and regrading of front yard.

This approval is granted subject to conformance with the referenced plans, "Proposed Grading Plan, 222 North Road – Route 140, Prepared for Christopher LaFleur, East Windsor, CT. Map #126, Block #27, Lot #010, Zone S-1, Prepared by

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Aeschliman Land Surveying, Dated 12-9-2013, Revisions through 1-21-14”.

Standard Conditions

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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

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Wetlands Agent Newton reported this property at 2 Rye Street presently contains one existing single family home; the Application received tonight is for construction of a second single family house on a rear lot. The parcel, which is adjacent to the Broad Brook Elementary School, runs from Rye Street down to Mill Street near the Dog Pound; the front of the parcel near Rye Street contains upland review area which then becomes a terrace escarpment slope with some wetlands and a stream near Mill Street. This proposal places the second home sort of near the terrace escarpment slope, but there is no direct impact to the wetlands.

Wetlands Agent Newton noted the Planning Office has not yet received a wetlands report regarding this property; plans were received yesterday. Mr. Ussery advised the Commission the wetlands report was done by John Ianni; he did say there are terrace escarpment slopes on the parcel and they are erodible. Mr. Ianni also noted erosion is already occurring from the school property.

Wetlands Agent Newton suggested the proposed location of the home appears to be close to the terrace escarpment slopes; it may be her recommendation to move the location of the home. Discussion followed regarding the dwelling location, potential impact to the terrace escarpment slopes, and the existing erosion from a culvert on the school property near the south property line. Wetlands Agent Newton noted there is a drainage culvert on the school property which came to light during the presentation for the modular classrooms. Mr. Ussery reported there is an approximate 40' to 50' change in the vertical elevation of this property from the Rye Street frontage to the stream. Commissioner Osborn questioned the size of the parcel? Mr. Ussery suggested the total parcel is just over 13 acres.

Wetlands Agent Newton advised the Commission they must consider the following issues in order to require a Public Hearing:

- The activity would cause a significant impact on wetlands and/or watercourses
- That a Public Hearing would be in the public's interest
- Or a petition of 25 residents 18 or older has been filed

Chairman Savaria queried the Commissioners regarding the need for a Public Hearing; no one felt a Public Hearing was warranted based on the information submitted.

AGENT DECISIONS: None.

STATUS REPORTS: None.

VIOLATIONS: None.

CONFERENCES/SEMINARS/TRAINING:

See discussion under **MISCELLANEOUS.**

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CORRESPONDENCE: None.

GENERAL BOARD DISCUSSION: None.

PUBLIC PARTICIPATION (Discussion on non-Agenda items only):

Deputy First Selectman Bowsza, the Board of Selectman's liaison to the Inland Wetlands Commission, introduced himself, and offered his services to the Board.

EXECUTIVE SESSION/1) Pending Litigation:

MOTION: To GO INTO EXECUTIVE SESSION at 7:45 p.m. Attending were Chairman Savaria, Commissioners Malin, Menard, Osborn, and Roloff, Wetlands Agent Newton, and Recording Secretary Hoffman.

Osborn moved/Roloff seconded/

VOTE: In Favor: Malin/Menard/Osborn/Roloff/Savaria
(No one opposed/No abstentions)

MOTION: To COME OUT OF EXECUTIVE SESSION at 8:00 p.m.

DISCUSSION: The Commission didn't conduct any business, or take any votes; the only discussion involved pending litigation.

Osborn moved/Menard seconded/

VOTE: In Favor: Malin/Menard/Osborn/Roloff/Savaria
(No one opposed/No abstentions)

ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 8:00 p.m.

Roloff moved/Menard seconded/VOTE: In Favor: Unanimous

Respectfully submitted:

Peg Hoffman, Recording Secretary, Inland Wetlands and Watercourse Commission