

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

Regular Meeting – February 6, 2019

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

Unable to Attend: Regular Member Rebecca Talamini.

Guests: Jay Ussery, of J. R. Russo & Associates, representing Dick and Kathy Pippin; Kathy Pippin, Peter P. Pippin, III; Noreen Farmer.

Chairman Baker noted the establishment of a quorum with 3 Regular and 1 Alternate Members as noted above. All Regular Members will sit in on discussion and votes this evening; should any member step down Alternate Member Sawka will serve in his place.

Also in attendance was Wetlands Agent Matt Tyksinski, and Town Planner Ruben Flores-Marzan...

PLEDGE OF ALLEGIANCE:

Everyone stood to recite the Pledge of Allegiance.

AGENDA ADDITIONS: None this evening.

APPROVAL OF MINUTES – (date):

MOTION: To APPROVE the Minutes of Regular Meeting of the Inland Wetlands and Watercourse Agency dated January 2, 2019 with the following amendments:
IWWA #13-2018 Allied Community Resources, Inc., Page 5, Line #209, Site Plan, Sheet 1, dated 12/7/2018, **REVISED 1/8/2019 Added swale section, REVISED 1/9/2019 Added stone parking.**
Page 8, GENERAL BOARD DISCUSSION: Line 316: Commissioner Beebe **OSBORN** cited concern.....

**TOWN OF EAST WINDSOR
INLAND WETLANDS AND WATERCOURSE AGENCY
Regular Meeting – February 6, 2019
MEETING MINUTES**

2

Pippin moved/Osborn seconded/VOTE: In Favor: Baker/Osborn/Pippin

NEW APPLICATIONS TO BE RECEIVED/ 1) #15-2018 – DDJ Group Ent. Of East Windsor, LLC/d/b/a Sardilli Produce & Dairy. Permit to conduct regulated activities to construct storm drainage outfall at 247 South Water Street for commercial development “across the road”. Property owned by Noreen P. Farmer, 247 South Water Street, East Windsor, CT. Zone R-3, Map 071, Block 05, Lot 33.

Commissioner Osborn read the description of this Item of Business.

Chairman Baker noted the Commission now has in their possession a complete application; everything seems to be in order; the owner of 247 South Water Street has signed the application.

Chairman Baker noted since this drainage for this project dumps into the Connecticut River he questioned if the Commission felt this application should be heard as a Public Hearing so the public can be aware of what’s going on. Commissioner Pippin felt this proposal was only a drainage outfall; the water will go there anyway. Commissioner Pippin didn’t see any reason for holding the application up. Chairman Baker suggested a Public Hearing could be scheduled prior to the Commission’s next Regular Meeting. Commissioner Osborn questioned that the public would attend; Commissioner Sawka concurred with Commissioner Osborn. The Commission felt the Public Hearing was unnecessary.

MOTION: To ACCEPT Application #15-2018 - DDJ Group Ent. Of East Windsor, LLC/d/b/a Sardilli Produce & Dairy. Permit to conduct regulated activities to construct storm drainage outfall at 247 South Water Street for commercial development “across the road”. Property owned by Noreen P. Farmer, 247 South Water Street, East Windsor, CT. Zone R-3, Map 071, Block 05, Lot 33.

**Osborn moved/Pippin seconded/DISCUSSION: Nothing further.
VOTE: In Favor: Baker/Pippin/Osborn
(No one opposed/No abstentions)**

Wetlands Agent Tyksinski questioned if the Commission would consider holding a Special Meeting to move the application forward; he noted the Meeting Room will be available next Tuesday, February 12th as the Planning and Zoning Commission has been cancelled.

MOTION: To SCHEDULE a Special Meeting of the Inland Wetlands and Watercourse Agency for February 12, 2019 at 7:00 p.m. in the Town Hall Meeting Room, 11 Rye Street, Broad Brook.

**TOWN OF EAST WINDSOR
INLAND WETLANDS AND WATERCOURSE AGENCY
Regular Meeting – February 6, 2019
MEETING MINUTES**

3

Pippin moved/Osborn seconded/**DISCUSSION:** Commissioner Osborn will not be able to attend the Special Meeting.

VOTE: **In Favor:** **Baker/Pippin/Osborn**
 (No one opposed/No abstentions)

PUBLIC HEARINGS: None.

CONTINUED PUBLIC HEARINGS: None.

NEW BUSINESS/ 1) #14-2018 –Richard P. Pippin, Jr. and Kathleen B. Pippin.

Request to conduct regulated activities for a lot split to create two residential building lots in an upland review area. Property located on East Road, 1885 +/- feet north of intersection with Depot Street. Zone R-3; Map 110, Block 77, Lot 019.

Commissioner Osborn read the description of this Item of Business.

LET THE RECORD SHOW Commissioner Pippin recused himself from discussion or vote on this Application; Commissioner Pippin left the room during the presentation. Alternate Commissioner Sawka will sit in on this application.

Appearing to discuss the application was Jay Ussery, of J. R. Russo & Associates, representing the applicants, Richard P. Pippin, Jr. and Kathleen B. Pippin. Also present in the audience was Richard P. Pippin, III.

Mr. Ussery reported this is an application for 2 residential building lots located on the east side of East Road. The property is located north of Depot Street, and east of Sullivan Farms. The parcel contains over 10 acres; the proposal is to split the parcel into a 5 acre lot on the north end of the parcel, and a second 8 acre lot on the south end. Mr. Ussery suggested the wetlands wraps around the parcel; the wetlands area is wooded.

Mr. Ussery reported the lots will be served by septic systems and wells. The soils were tested by the North Central District Health Department (NCHD) and were found to be sand and gravel similar to soil found in the Sullivan Farms Subdivision and the gravel operations of Holden and the Grants nearby. The water table is at the elevation of the wetlands. The NCHD has approved the 2 lots for the septic systems.

Mr. Ussery recalled the applicant appeared before this Commission previously and received approval for a permit in 2008. That permit has expired; they are seeking renewal of that permit.

Mr. Ussery cited some concerns were raised by the Commission during the original approval; they included:

- ***Is there enough “living” space around the proposed lots?*** Mr. Ussery noted the lots are large; the area around the potential dwelling locations is over ½ an

**TOWN OF EAST WINDSOR
INLAND WETLANDS AND WATERCOURSE AGENCY
Regular Meeting – February 6, 2019
MEETING MINUTES**

4

acre which would provide lawn area for the residents.

- ***Is there room for swimming pools?*** Mr. Ussery noted a note has been added to the plans that the installation of pools requires the filing of an application with the Inland Wetlands Commission.
- ***Is there a vernal pool on the site?*** Mr. Ussery indicated nothing was seen to indicate the existence of a vernal pool when the wetlands were flagged in 2008. They returned a year later to look for egg masses; although none were found they have added a note to the plans indicating “a potential vernal pool”. Mr. Ussery indicated that same area is still there on the parcel.
- ***They are proposing a Conservation Easement around the vernal pool.***
- ***Concern was raised regarding the slope of the proposed driveway;*** they have proposed plantings along the edge of the driveway back to the location of the home. They are proposing the installation of 12 Hemlocks to prevent erosion.

Mr. Ussery reported Town Engineer Norton has reviewed the plans; he has no recommendations or comments.

Mr. Ussery indicated the Pippins are looking for a new permit to market the property.

Chairman Baker questioned if there were any significant changes since the last permit was issued? Mr. Ussery replied negatively; the plan is the same as the one proposed and approved the last time.

Chairman Baker questioned that ***the Conservation Easement isn't shown on the plans.*** Mr. Ussery suggested they are not yet showing the conservation easement but are offering that opportunity to the Commission. The Conservation Easement would be shown at the time of sale.

Mr. Ussery noted that when the Pippins purchased the property trash had been dumped on the side of the road. The Commission wanted the trash removed during the previous approval. Mr. Ussery advised the Commission that trash has been cleaned up.

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

Chairman Baker indicated he would like to see the inclusion of a condition that the Conservation Easement is in place.

MOTION: To APPROVE Application #14-2018 –Richard P. Pippin, Jr. and Kathleen B. Pippin for a request to conduct regulated activities for a lot split to create two residential building lots in an upland review area .Property located on East Road, 1885 +/- feet north of intersection with Depot Street. Zone R-3; Map 110, Block 77, Lot 019. Approval includes the following 14 Standard Conditions, and additional condition 15 That

**TOWN OF EAST WINDSOR
INLAND WETLANDS AND WATERCOURSE AGENCY
Regular Meeting – February 6, 2019
MEETING MINUTES**

5

the Conservation Easement be shown on the plan as presented.

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

REFERENCED PLANS:

Plot Plan/Lot Split, Prepared for Kathleen B. & Richard P. Pippin, East Road, Map 110, Block 77, Lot 19, Zone R-3. Prepared by J. R. Russo & Associates, 1 Shoham Road, East Windsor, CT., 860-623-0569, dated 4/1/08, latest revision 12/5/18,

Details and Soil Erosion & Sediment Control Notes, Prepared for Kathleen B. & Richard P. Pippin, East Road, Map 110, Block 77, Lot 19, Zone R-3. Prepared by J. R. Russo & Associates, 1 Shoham Road, East Windsor, CT., 860-623-0569, dated 4/1/08

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.

**TOWN OF EAST WINDSOR
INLAND WETLANDS AND WATERCOURSE AGENCY
Regular Meeting – February 6, 2019
MEETING MINUTES**

6

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.

Additional Condition:

15. **That the Conservation Easement be shown on the plan as presented.**

Osborn moved/Sawka seconded/DISCUSSION: None

**VOTE: In Favor: Baker/Osborn/Sawka
(No one opposed/No abstentions)**

**TOWN OF EAST WINDSOR
INLAND WETLANDS AND WATERCOURSE AGENCY
Regular Meeting – February 6, 2019
MEETING MINUTES**

7

OLD BUSINESS: None.

LET THE RECORD SHOW Commissioner Pippin returned to serve on the Commission.

MISCELLANEOUS/ 1) Beebe Landscaping/BT Properties – 102 Winkler Road – recap of previous Wetlands application and permit approval.

Chairman Baker suggested that after reading the material provided by staff the permit mentions a Conservation Easement; the question is has the Conservation Easement been compromised by activity on this property? Commissioner Osborn noted there's a lot of activity occurring at the back of the parcel; it's apparent that they have a shovel operating back there and digging out stumps.

Review of the map/plan provided by staff the last flag of the wetlands is missing from this plan sheet; the Commissioners requested a copy of Sheet 4 of the plans be researched. Chairman Baker suggested continuing discussion to the next Regular Meeting; the Commissioners also requested staff to contact the property owner for permission for a site visit. Chairman Baker, Commissioner Osborn, and Commissioner Pippin would like to attend; the site visit will be posted as a Special Meeting when the date is determined.

Discussion followed regarding the process for advising the Wetlands Commission of the installation of the salt shed.

AGENT DECISIONS: None.

STATUS REPORTS/1) Update on Newberry Village Site Visit:

Wetlands Agent Tyksinski reported Mr. Giorgio has contacted him to set up another site visit; Commission members will be advised when Mr. Giorgio is available. Chairman Baker noted the Newberry Village map needs updating.

VIOLATIONS: None.

CONFERENCES/SEMINARS/TRAINING: Nothing at present.

CORRESPONDENCE: None.

GENERAL BOARD DISCUSSION: None.

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

Noreen Farmer, 247 South Water Street: Mrs. Farmer questioned why so many vacancies on the Commission? Chairman Baker suggested it appears to be a lack of

**TOWN OF EAST WINDSOR
INLAND WETLANDS AND WATERCOURSE AGENCY
Regular Meeting – February 6, 2019
MEETING MINUTES**

8

interest. He suggested serving on the land use boards require some time building up knowledge of the regulations and processes; people are busier today. Discussion followed regarding recruiting residents via the Democratic or Republican parties.

ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 7:35 p.m.

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

Respectfully submitted:

Peg Hoffman, Recording Secretary, Inland Wetlands and Watercourse Commission