

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

3
4 **Regular Meeting – March 4, 2020**

5
6 **MEETING MINUTES**

7 ******Minutes are not official until approved at a subsequent meeting******
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11 **CALL TO ORDER:** Chairman Talamini called the Regular Meeting of the East
12 Windsor Inland Wetlands Watercourse Agency to order at 7:00 p.m. in the Town Hall
13 Meeting Room, 11 Rye Street, Broad Brook, CT.
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15 **ESTABLISHMENT OF QUORUM:**

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17 **Present:** Regular Members Rebecca Talamini (Chairman), Alan Baker, Richard
18 Osborn, and Richard P. Pippin, Jr., and Alternate Member Jamie Sydoriak.
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20 **Unable to Attend:** Regular Member Kebschull and Alternate Member Sawka.
21

22 **Guests:** Paul Tanner, Geologist, with O'Reilly, Talbot, & Okun Associates,
23 representing KTI, Inc., 3 Thompson Road.
24

25 **Public:** Kathy Pippin.
26

27 Chairman Talamini noted the establishment of a quorum with 4 Regular and 1 Alternate
28 Members as noted above. All Regular Members, and Alternate Commissioner Sydoriak,
29 will sit in on discussion and votes this evening.
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31 Also in attendance was Wetlands Enforcement Official/Wetlands Agent Ruben Flores-
32 Marzan.
33

34 **PLEDGE OF ALLEGIANCE:**

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36 Everyone stood to recite the Pledge of Allegiance.
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38 **AGENDA ADDITIONS:** None.
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40 **APPROVAL OF MINUTES – February 5, 2020:**

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42 **MOTION:** To APPROVE the Minutes of the East Windsor Inland Wetlands and
43 Watercourse Agency Regular Meeting dated February 5, 2020 as
44 written.
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46 **Pippin moved/Osborn seconded/****DISCUSSION:** None.

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**VOTE: In Favor: Talamini/Baker/Osborn/Pippin/Sydoriak
(No one opposed/No Abstentions)**

NEW APPLICATIONS TO BE RECEIVED/1) #05-2020 – T. R. Associates –
Request for Inland Wetland Permit to conduct regulated activities (Sect. 4.3 and 5) at 3
Thompson Road. Nearest intersection is Thompson Road and South Main Street/Route
5, East Windsor. M-1 Zone; Map 082, Block 18, Lots 015 NS 016. **(Deadline for**
decision 4/8/2020):

Paul Tanner, Geologist, with O'Reilly, Talbot, & Okun Associates, representing KTI,
Inc., joined the Commission. Mr. Tanner gave a brief overview of the project,
referencing the 5 page synopsis prepared by O'Reilly, Talbot, & Okun. They will be
doing a rehabilitation of the stormwater detention basin. That area received discharge
from the business ending in 2003; there is copper in the sediment which they need to
remediate. This is a DEEP clean-up. The stormwater collection area is to the west of the
building; they will be excavating the detention area, cutting the input into the basin and
diverting it to a temporary holding area. During the excavation they will be removing 6
inches to 2 feet of material and will then restore the wetlands plantings. Mr. Tanner
suggested they're proposing to do this in the Summer when the water is low; they have
contingency plans if that schedule becomes unworkable. Mr. Tanner reported the authors
of the plan will be available at the next meeting to present the application.

Commissioner Osborn questioned that they will be diverting the stormwater back into the
same area? Mr. Tanner referenced the Site Plan, noting the water diversions will be
twofold: They are proposing to divert the stormwater flow around the area to the intake
structure; the second diversion is capping the pipe in the catch basin and using fire hoses
to send the flow into the same water network. Mr. Tanner reported they will be using a
double layer of silt fence to divert the flow to the side so they can work in the dry area;
they'll move the material up into an upland stockpile area. Mr. Tanner reported they will
be removing most of the trees in the wetlands ditch.

Commissioner Sydoriak noted Mr. Tanner had suggested they would be reseeded with a
wetlands seed mix; she questioned if the client would be agreeable to initiating a 1 to 3
year monitoring plan to be sure invasive plants, such as phragmites don't take over the
site and to be sure the seed mix works. Mr. Tanner suggested he would discuss
Commissioner Sydoriak's comment with the client; Commissioner Baker suggested Mr.
Tanner e-mail staff with the client's response. Commissioner Baker suggested that
existing conditions on the site indicated that wetlands area two is pretty much taken over
with invasive species already. He also noted the area collects debris and discarded
coffee cups from the adjacent Dunkin Donuts; he suggested perhaps the Commission
should consider requesting Dunkin Donuts to put some type of barrier to address the
debris.

Commissioner Sydoriak referenced the proposed removal of the trees; she questioned the

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deposition of the material. She questioned if the Town would like them to be turned into wood chips? The Commission indicated that would be a decision for the applicant to make.

Chairman Talamini noted the Town has an easement related to the basin; Commissioner Osborn suggested that would allow the Town to do maintenance of the basin. Mr. Tanner suggested the history of the site development is somewhat vague; this is a 1960s stormwater management system. He cited the cause of the pollution was non-contact cooling water; the business brought in city water to cool the machines; it appears the copper in the pipes may have been eaten away. Mr. Tanner reported Tom O'Connor at DEEP is their contact; this is a Connecticut Transfer Act matter which isn't really part of the applicant's clean up but they decided to include it as part of their work.

Chairman Talamini suggested much more information will be available when the Commission hears the application at the next meeting. She called for a motion to accept the application.

MOTION: To RECEIVE Application #05-2020 – T. R. Associates – Request for Inland Wetland Permit to conduct regulated activities (Sect. 4.3 and 5) at 3 Thompson Road. Nearest intersection is Thompson Road and South Main Street/Route 5, East Windsor. M-1 Zone; Map 082, Block 18, Lots 015 NS 016.

Pippin moved/Osborn seconded/DISCUSSION: See comments above.

**VOTE: In Favor: Talamini/Baker/Osborn/Pippin/Sydoriak
(No one opposed/No Abstentions)**

PUBLIC HEARINGS: None.

CONTINUED PUBLIC HEARINGS: None.

NEW BUSINESS: None.

OLD BUSINESS: None.

MISCELLANEOUS:

Commissioner Sydoriak advised staff that page 4 of the application submitted this evening (the State Activity Report) is an outdated form; a new form was issued in 2019. Staff will remove the old State Activity Report and replace them with the newest form.

AGENT DECISIONS: None.

STATUS REPORTS:

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• **122 Tromley Road:**

Wetlands Agent Flores-Marzan and Chairman Talamini reported they inspected Mr. Shefrin's property at 122 Tromley Road. Chairman Talamini suggested there really are no wetlands corrections for Mr. Shefrin to make; the situation is really due to the topography of the land. Wetlands Agent Flores-Marzan reported staff has sent a follow-up letter to Mr. Shefrin.

• **West River Farms:**

Wetlands Agent Flores-Marzan reported staff contacted Jeffrey Folger, Environmental Town Planner in South Windsor, who made an inspection of the open space area. Referencing Mr. Folger's e-mail, Wetlands Agent Flores-Marzan noted Mr. Folger found the controls working well. He recommended the applicant apply rye grass seed on the upland side of the silt fence.

Chairman Talamini suggested keeping West River Farms on the agenda for continued updates as necessary. Wetlands Agent Flores-Marzan indicated he'll make another site visit.

VIOLATIONS:

Nothing pending at this time. See General Board Discussion below.

CONFERENCES/SEMINARS/TRAINING:

1) **See e-mail regarding March conference:**

March 13, 2020 – Connecticut AQssociation of Wetlands Scientists, 2020 Annual Meeting and Environmental Conference, 8:00 a.m. to 4:00 p.m., Wyndham Southbury, Southbury, CT. Commissioners were requested to advise the office if they would like to attend.

2) **Wetlands Violations/Citation Ordinance:**

See below under **GENERAL BOARD DISCUSSION.**

CORRESPONDENCE: None.

GENERAL BOARD DISCUSSION:

• **12 Griffin Road:**

Commissioner Pippin reported he came into the office this morning regarding 12 Griffin Road. Staff reviewed the system and found no permit for any work at the

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183 site. Commissioner Pippin indicated this is the site where the Barber Hill School
184 House was previously located; the property was sold to the abutting neighbor
185 when the school house was moved to the Historical Society. Commissioner
186 Pippin reported significant work is being done; the property owner isn't using silt
187 fence. Wetlands Agent Flores-Marzan indicated the GIS system doesn't show
188 this area as wetlands; he'll make a site visit. Commissioners Osborn and Pippin
189 recalled extensive work being done in that area several years ago when a farming
190 operation was causing runoff.

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192 • **Wetlands Violations/Citation Ordinance:**

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194 Commissioner Baker suggested the Board should put forth the
195 Violations/Citations Ordinance again. Discussion followed regarding adding a
196 fee schedule for violations, with a lesser amount assessed for minor violations vs.
197 higher penalties charged for gross violations. Commissioner Pippin felt there
198 should be a cap on the amount of the fee generated prior to going to court.
199 Commissioner Baker noted it's the Commission's responsibility to enforce
200 violations.

201
202 The Commission reviewed the proposed ordinance. Robin Newton, Wetlands
203 Enforcement Agent in 2009, had recommended a shortened timeframe of 3 to 5
204 months for the citation notice to be sent to the violator. The Commission
205 tentatively agreed to change the wording in Paragraph E-5 Citations and
206 Procedures to: **"If such assessment is not paid on the date of its entry, the**
207 **Hearing Officer shall send, by first class mail, a notice of the assessment to**
208 **the person liable and shall file, not less than 30 days nor more than 12-**
209 **months 6 months after such mailing....."**

210
211 Commissioners Baker, Osborn, and Pippin recalled Mrs. Newton had prepared a
212 proposed fee schedule to accompany the Violations/Citation Ordinance. Staff is
213 researching department files for the proposed fee schedule. Commissioner
214 Sydoriak offered to review DEEP information for model fee schedules.

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216 Discussion will continue at the next Commission Meeting.

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218 • **Application Process:**

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220 Chairman Talamini reported the First Selectman has requested the Commission
221 review the IWWA application process. His intent is to move the process forward
222 more quickly. The current process, as was the case this evening with 3 Thompson
223 Road, is to receive the application within a specified time period of the
224 application's receipt in the office; the actual application is then heard, or
225 presented, at the following meeting.

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Chairman Talamini reported the First Selectman has asked the Commission to consider scheduling a second monthly meeting, or review the process for streamlining. The Commission's preference was not to schedule a second monthly meeting.

As an option, staff has been requested to review the C.G.S. regarding the IWWA regulations.

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

No one requested to speak.

ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 8:13 p.m.

Baker moved/Sydoriak seconded/DISCUSSION: None.

**VOTE: In Favor: Talamini/Baker/Osborn/Pippin/Sydoriak
(No one opposed/No Abstentions)**

Respectfully submitted:

Peg Hoffman, Recording Secretary, Inland Wetlands and Watercourse Commission