

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

**Regular Meeting**

**Wednesday, April 6, 2022**

**7:00 p.m.**

**Small Meeting Room  
Town Hall, 11 Rye Street,  
Broad Brook, Connecticut  
(In-person)**

**AND**

Meeting held via ZOOM Teleconference  
Meeting ID: 714 897 1799

**MEETING MINUTES**

**\*\*\*\*\*Minutes are not official until approved at a subsequent meeting\*\*\*\*\***

- I. CALL TO ORDER:** Chairman Talamini called the April 6, 2022 Regular Meeting of the East Windsor Inland Wetlands and Watercourse Agency to order at 7:02 p.m. in the small Meeting Room, Town Hall, 11 Rye Street, Broad Brook, CT. The Meeting is also available via remote access. Assistant Town Planner/Inland Wetlands Agent/Zoning Enforcement Officer Danielle Miller hosted the meeting.

**Present:** Regular Members Rebecca Talamini (Chairman), Alan Baker, Kurt Kebschull (participated remotely), Richard Osborn (Secretary), Richard P. Pippin, Jr (Vice Chairman).

**Unable to Attend:** Alternate Member Michael Sawka.

**Guests (In person):** Inland Wetlands Agent/Zoning Enforcement Officer/Assistant Town Planner: Danielle Miller, Owen Jarmac, representing Townline Farms, LLC.

**Remote Guests (as identified on meeting participation list):** Director of Planning and Community Development/Town Planner/Zoning Enforcement Officer/Inland Wetlands Agent: Ruth Calabrese, Robert Arsenault, representing Arvind Persuad, d/b/a New Construction Company, LLC., Arvind Persuad, Dana Gugielmo, iPhone 860-306-....; Peg Hoffman, Recording Secretary.

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**II. ESTABLISHMENT OF QUORUM:**

Chairman Talamini noted the establishment of a quorum with 4 Regular Members in attendance in-person, and 1 Regular Member participating remotely as noted above. All Members will sit in on votes this evening

**III. PLEDGE OF ALLEGIANCE:**

As the Small Meeting Room lacks an American Flag Assistant Town Planner/Wetlands Agent Miller provided an online depiction. Everyone stood to recite the Pledge of Allegiance.

**IV. AGENDA ADDITIONS:**

No Agenda Additions this evening.

**V. APPROVAL OF MINUTES – March 2, 2022:**

Chairman Talamini queried the Commissioners for changes or revisions to the Minutes for the Commission's Regular Meeting of March 2, 2022. No one requested any changes; Chairman Talamini called for a motion of approval.

**MOTION: To APPROVE the Minutes of the Regular Meeting of the Inland Wetlands and Watercourse Agency dated March 2, 2022 as presented.**

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

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

**VI. NEW APPLICATIONS TO BE RECEIVED:**

There were no new applications to be received this evening.

**VII. PUBLIC HEARINGS:**

There were no Public Hearings scheduled for this evening.

**VIII. CONTINUED PUBLIC HEARINGS:**

There were no Continued Hearings scheduled for this evening.

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**IX. NEW BUSINESS:**

- **As-of-Right Determination – 165 Melrose Road**  
**Applicant: Townline Farms, LLC.**  
**Dredging drainage project in farm fields**  
**Upland Review area & portion of wetlands**

Chairman Talamini acknowledged this Agenda item. Joining the Commission in person was Owen Jarmoc, representing Townline Farms, LLC, 128 Moody Road, Enfield, CT..

Mr. Jarmac acknowledged his associate, Matt, for the presentation, and provided the Commission with a presentation related to his project. Mr. Jarmac reported his family has been associated with the agricultural business since 1908, he's the fourth generation continuing in farming. Mr. Jarmac reported they started off with tobacco and now plan to add several hundred acres of pumpkins. Townline Farms currently has about 150 full-time and seasonal employees.

Mr. Jarmac reported they purchased the Hambach farm last Summer, and are managing the property as Townline Farms, LLC. Mr. Jarmac reported the Hambach property has become rundown. They have begun work to bring the fields back to more commercial farmland. They have already installed some minor drainage reservoirs with pipes just below the surface to catch excess moisture. The fields were previously used to grow hay, their intention is to grow tobacco, which doesn't like wet feet.

Mr. Jarmac reported they are before the Commission to seek an As-of-Right Determination. He suggested Towns deal with As-of-Right Determinations in different ways. He referenced Inland and Wetlands C.G.S. Section 22a-40, regarding Permitted Operations which allow the following uses in watercourses As-of-Right, without the need for a permit – farming, grazing, harvesting of crops, and farm ponds. Mr. Jarmac the referenced the definition of farming under Section 1-1q, which describes activities such as the drainage improvements made to the Melrose Road property. Mr. Jarmac suggested the work they've begun fits into that definition; they are appearing before the Commission to seek approval of their work as an As-of-Right Determination.

Commissioner Baker questioned that the work at this location has already been done? Assistant Town Planner/Wetlands Agent Miller reported the

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Planning Office received calls that work was being done, she visited the site and took photos from the Enfield side of the property. Staff then advised Mr. Jarmac to appear before the Commission to discuss the work.

Commissioner Baker suggested he was looking for a map, or drawing, of the location of the work. Assistant Town Planner/Wetlands Agent Miller referenced the photos included in her potential violations document. Commissioner Baker suggested the Commission would normally have a map showing the location of the work; Mr. Jarmoc indicated he had not had an engineered drawing of the work prepared. Commissioner Baker questioned where the water being drained from the fields would be going? Mr. Jarmac indicated the water is draining into a riprap area before it goes into the wetlands. Commissioner Osborn suggested the Grant family did some work on a ditch in the rear a few years ago to prevent erosion. Chairman Talamini noted Mr. Jarmac has been brought forward for an As-of-Right Determination.

Mr. Jarmac noted there are three structures (barns) at the front of the property which will be demolished. Commissioner Osborn suggested they were previously used as tobacco sheds at one time. Mr. Jarmac indicated the intention is to demolish those structures in the Fall, and to replace them with four larger tobacco sheds in the future.

Commissioner Baker questioned that there is no erosion going into the nearby wetlands? Assistant Town Planner/Wetlands Agent Miller reported Staff has visited the site, there doesn't appear to be any erosion getting into the wetlands. Mr. Jarmac reported they have installed a 4-inch perforated pipe with a sock over it which dumps run-off above the wetlands. Commissioner Baker questioned that the discharge goes into a stone dam? Mr. Jarmac replied affirmatively, noting they hired a contractor to do the work.

Commissioner Kebschull suggested the DEEP training modules suggests that the applicant should present a topographical map of the work area. Chairman Talamini reported that document wasn't provided by the Applicant, the Commission is reviewing the GIS depiction of the area.

Commissioner Baker reiterated his question that the work has already been done? Assistant Town Planner/Wetlands Agent Miller replied affirmatively, noting a reference to Staff photos submitted to the Commission. Commissioner Baker suggested Staff should continue to

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check that this work isn't causing any issues offsite, Chairman Talamini agreed.

No further questions were raised, the Commission made the following motion.

**MOTION: To APPROVE the As-of-Right Determination for Townline Farms, LLC, for dredging, drainage project in farm fields, upland review area and portion of wetlands.**

**Pippin moved/Osborn seconded/DISCUSSION:** Commissioner Kebschull questioned if there was any historic preservation involved in this project. Chairman Talamini suggested that consideration is not within the purview of the Wetlands Commission.

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

**X. OLD BUSINESS:**

- **IWWA 03-2022 – 298 South Main Street**  
**Applicant: Arvind Persuad**  
**Construction of a 1,500 SF building and parking for automotive sales & repair**  
**Upland Review Area – Stormwater Discharge**

Chairman Talamini read the description of this Agenda Item.

Joining the Commission remotely was Robert Arsenault, P. E. for the project, and Arvind Persuad, owner/applicant d/b/a New Construction Co., LLC.

Mr. Arsenault reported the parcel under consideration contains .053 acres located on the west side of Route 5 north of the South Windsor/East Windsor town line. Mr. Persuad is proposing to construct a 1,500 square foot building and associated parking. Drainage for the parcel will be completely infiltrated into a double chamber catch basin containing an oil/water separator. They are proposing a sub-surface infiltration system prior to discharge into a riprap plunge pool and level spreader.

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Mr. Arsenault reported that originally Town Engineer Norton had requested that Mr. Arsenault provide information analyzing the proposed infiltration system for back-to-back 100-year storms. That information was provided to Town Engineer Norton, who has now signed off on this proposal.

Mr. Arsenault indicated the soils at this location are Manchester sand and gravel. The parcel is served by utilities on Route 5. The drainage goes through a completely enclosed system with infiltration back into the ground. Silt fence is being installed around the perimeter of the parcel for sedimentation and erosion control measures, which will contain everything on site. There is one catch basin at the front of the property, Mr. Arsenault indicated there is no chance of any water going off site. An anti-tracking pad is being installed at the front entrance to the property.

Mr. Arsenault reported the project received a variance for the buffer from the Zoning Board of Appeals on Monday evening. They will be putting up a 6 foot high vinyl fence on both sides of the property.

Commissioner Kebschull noted the recent heavy rains which have occurred, he questioned if there was any chance that toxic liquids might enter the sewer? Mr. Arsenault replied negatively, noting everything pitches away from Route 5. There will be a high point at the street, nothing will flow to Route 5.

Town Planner/Wetlands Agent Calabrese advised the Commission this project has an application before the Planning and Zoning Commission, due to the location of the landscaping buffer limitations the applicant appeared before the Zoning Board of Appeals.

Town Planner/Wetlands Agent Calabrese questioned if the level spreader in the back is meant to address overflow? Mr. Arsenault replied affirmatively. She also questioned if the system contains an oil/water separator in the catch basin? Mr. Arsenault replied affirmatively again.

Commissioner Baker requested clarification that Mr. Arsenault had indicated that his analysis of the back-to-back storms indicated that the plunge pool wouldn't fill up? Mr. Arsenault replied affirmatively. Commissioner Baker questioned what type of soil the site contains? Mr. Arsenault indicated the soils are mostly sandy. Commissioner Baker suggested the structure is proposed for 7 to 10 feet from the terrace

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escarpment slope, he questioned if Mr. Arsenault felt that was far enough away? Mr. Arsenault suggested the location is about 10 feet. Commissioner Baker questioned if the system was full of water and leaching the water out of the bottom of the structure did Mr. Arsenault think that the water would come out of the bank? Mr. Arsenault indicated this system is over-sized because Town Engineer Norton wanted it designed for the back-to-back 100-year storms, he indicated he doesn't expect any flow to come out of that pipe. The issue is something he and Town Engineer Norton discussed, the circular structure on the drawing is like a plunge pool, and from there the water goes into the level spreader. Commissioner Baker questioned that the proposal is for an infiltration system? He suggested Mr. Arsenault probably didn't do perc tests because they are on the sewer. Commissioner Baker suggested if there is water underground, and the soil is sandy, is the structure too close to the bank? Mr. Arsenault reported when they designed the system for the back-to-back storms there was no flow coming out. Commissioner Baker indicated he understood, but he questioned if the system gets filled up and it's that close to the embankment – how quickly do you think that would infiltrate or drain out of that system? Mr. Arsenault indicated he didn't anticipate any flow going in there, the water goes into the ground and infiltrates. Commissioner Baker questioned how quickly Mr. Arsenault anticipates the water would drain out of that plunge pool? Mr. Arsenault didn't feel the water will ever get there. Commissioner Baker requested clarification that Mr. Arsenault was saying the "box" in the parking lot on the plan would contain all the water, and that it would never go anywhere? Mr. Arsenault suggested it goes into the ground, it infiltrates; it's a combination of infiltration and storage. Commissioner Baker suggested Mr. Arsenault is saying the water will never get to the plunge pool? Mr. Arsenault indicated he did not think so.

Commissioner Pippin questioned if Mr. Arsenault performed any perc tests? Mr. Arsenault replied negatively, noting they relied on the analysis done in the past. Commissioner Pippin indicated he has the same concerns as Commissioner Baker, he questioned if Mr. Arsenault got to the restrictive layers? He noted the Commission is used to seeing perc tests.

Commissioner Pippin also questioned if a maintenance schedule has been submitted, and does it require seeding be done before the Fall? Chairman Talamini referenced the seeding schedule provided in the maintenance schedule.

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Town Planner/Wetlands Agent Calabrese questioned if Mr. Arsenault would relocate the infiltration system if fill is found on the site or if there is some other hinderance? Mr. Arsenault suggested they would relocate it, or perhaps enlarge it to make it more of a storage system. Town Planner/Wetlands Agent Calabrese referenced Town Engineer Norton's comments, and those of the South Windsor staff, that the area could contain fill. Mr. Arsenault indicated that when he walked the site he didn't feel any fill had been added to this parcel.

Commissioner Kebschull cited that the previous Summer the town had experienced three significant storm events, he noted that was an extreme situation but questioned if that had been considered? Mr. Arsenault reported they did what Town Engineer Norton requested.

Commissioner Baker questioned if Staff has a procedure to track the maintenance schedule? Town Planner/Wetlands Agent Calabrese suggested it could be tracked by a spreadsheet, or the Department calendar. She noted in the future PermitLink would generate a letter automatically.

Hearing no further questions Chairman Talamini called for a motion.

**MOTION:**                    **To APPROVE Application IWWA 03-2022, owner Arvind Pursuad for the construction of a 1,500 square building and parking lot for automotive sales and repair, located at 298 South Main Street, East Windsor, CT and as shown on site development plans presented for New Construction Company, LLC by Gary B. LeClair, LLC, Sheets 1-6, dated 12-21-21, last revised 3-02-2022, with the 14 standard conditions, and, Additional Condition 15: Stormwater system maintenance records available to Town staff for review upon request.**

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

**VOTE:**            **In Favor:        Talamini/Baker/Osborn/Pippin**  
                     **Opposed:        No one**  
                     **Abstained:      Kebschull**



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**X. MISCELLANEOUS:           None**

Item inadvertently misidentified/duplicated under Agenda sequence.

**XI. AGENT REVIEW AND DECISIONS:**

**a. IWWA 05-2022 Agent Decision: 175 Wells Rd (upland review - inground pool)**

Assistant Town Planner/Wetlands Agent Miller reported the Planning Office received calls of filling at this location for an inground pool. She indicated the pool is near the upland review area, she suggested this is more of an issue with the septic. Town Planner/Wetlands Agent Calabrese concurred, noting the Health Department spent a lot of time at this location, owned by Lisa Perkins, because of the location of the septic system.

Chairman Talamini noted there is also a shed indicated at this location. Town Planner/Wetlands Agent Calabrese indicated the shed is excluded from this permit.

**b. Review of Open/Active IWWA Permits Report:**

Assistant Town Planner/Wetlands Agent Miller referenced the captioned report, noting it's a work in progress. The report starts with open permits issued in 2021, she'll be adding the 2022 permits as well.

Commissioner Baker requested the addition of another column which indicates the date the permit was checked.

Commissioner Baker also questioned the status of the Cota Construction project on Newberry Road? Assistant Town Planner/Wetlands Agent Miller reported that Staff has checked that project, the applicant may be coming back to the Commission for revision of his plans.

**XII. VIOLATIONS:**

- **Status Update:**
  - **37 Rice Road:**

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Assistant Town Planner/Wetlands Agent Miller referenced the photos provided for the Commission. She noted the property owner did do some tree clearing near the barn, but the stumps remain on the site. There is also a barn at the back of the property housing donkeys, goats, and chickens. It appears that the wetlands ends at the abutting property. Staff has asked for a map; Staff is also trying to get the property owner to acquire Building and Zoning Permits, and possibly come in for a Wetlands Permit.

▪ **50 Harrington Road:**

Assistant Town Planner/Wetlands Agent Miller reported Staff received a complaint that manure is being piled at the back of the property; Staff has given the property owner until May 1<sup>st</sup> to remove the manure. The property owner has put up silt fence which appears to be close to a drainage issue.

▪ **61 South Main Street:**

Assistant Town Planner/Wetlands Agent Miller reported this property appears to be located within the upland review area, the property owner appears to have filled in at the east side of the driveway. The work has been done, Staff will be issuing a Cease and Correct Order.

Town Planner/Wetlands Agent Calabrese added that initially the property owner wanted to get a permit to remove the material but he wasn't able to prepare a complete application. She has convinced the property owner it would be more expedient to go with a Cease and Restore order so Staff can outline the corrective actions. Town Planner/Wetlands Agent Calabrese felt the property owner wouldn't agree to that solution, she felt a Show Cause Hearing may be necessary.

▪ **165 Melrose Road:**

See action taken earlier in this meeting.

• **215 Scantic Road:**

Town Planner/Wetlands Agent Calabrese felt this is issue may

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have been resolved.

- **Skylark Airport:**

Assistant Town Planner/Wetlands Agent Miller noted Staff has received notification that the owners of Skylark may have built a new hanger. Town Planner/Wetlands Agent Calabrese reported Staff has heard from the airport's attorney, they are setting up a visit for next week.

The Commissioners raised the following questions:

Commissioner Baker noted the Historical Society has a large amount of material they've placed on the low side of the Cemetery Road entrance without installing any silt fencing. He is concerned because the stream and wetlands is below that material. Town Planner/Wetlands Agent Calabrese suggested there is a large open field before the wetlands area.

Chairman Talamini reported there have been comments about the tree clearing on the Sabonis property. Commissioner Osborn suggested the property owner has cleared material that has been accumulating around the pond for many years.

Chairman Talamini questioned the status of the timber harvesting proposed for Winkler Road. Town Planner/Wetlands Agent Calabrese indicated the forester, Mr. Boise, called during the Winter to advise the office he would be doing that work during the Winter. It may have been too wet to start before now.

Town Planner/Wetlands Agent Calabrese indicated the work behind Baggott's Farm (South Main Street) should be included in the report for next month.

**XIII. CONFERENCES/SEMINARS/TRAINING:**

Chairman Talamini reported Commissioner Kebschull has completed his training and will be receiving his certificate. Town Planner/Wetlands Agent Calabrese reminded the Commissioners that training is a requirement for all Commissioners starting next year; Staff will be tracking the Commissioners progress.

**XIV. CORRESPONDENCE:     None**

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**XV. GENERAL BOARD DISCUSSION:**

Commissioner Pippin noted that the Commission consistently adds submission of a maintenance schedule as an approval requirement, he question if the Commission should consider adding the submission of a maintenance schedule as Standard Condition #15. Commissioner Baker agreed. Town Planner/Wetlands Agent Calabrese suggested updating the Commission's bylaws to include Condition #15 as a Standard Condition.

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

Chairman Talamini queried the in-person and remote participants for comments; no one requested to be acknowledged.

**XVII. EXECUTIVE SESSION – Pursuant to C.G.S. Section 1-200 (6)(b) – pending claims/litigation – Action possible:**

Chairman Talamini noted there is no Executive Session scheduled for this evening.

**XVIII. ADJOURNMENT:**

**MOTION: To ADJOURN this Meeting at 7:58 p.m.**

**Pippin moved/Osborn seconded/**

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

Respectfully submitted:

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Peg Hoffman, Recording Secretary, Inland Wetlands and Watercourse Commission