

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

**Regular Meeting**

**Wednesday, August 3, 2022  
7:00 p.m.**

**John Daly, Jr. 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 August 3, 2022 Regular Meeting of the East Windsor Inland Wetlands and Watercourse Agency to order at 7:00 p.m. in the John Daly, Jr. Meeting Room, Town Hall, 11 Rye Street, Broad Brook, CT. The Meeting is also available via remote access

**Present:** Regular Members Rebecca Talamini (Chairman), Alan Baker, Kurt Kebschull, 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 Danielle Miller hosted the meeting. James Giorgio was also present in person.

**Remote Guests (as identified on meeting participation list):** T. J. Barresi Associates, LLC; Kurt Kebschull, Regular IWWA Member; Peg Hoffman, Recording Secretary.

**II.    ESTABLISHMENT OF QUORUM:**

Chairman Talamini noted the establishment of a quorum with 3 Regular Members in attendance in-person, and 1 Regular Member participating remotely as noted above. All Members will sit in on votes this evening

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**III. PLEDGE OF ALLEGIANCE:**

Everyone stood to recite the Pledge of Allegiance.

**IV. AGENDA ADDITIONS:     None**

**V. APPROVAL OF MINUTES – July 6, 2022 – Regular Meeting:**

Chairman Talamini noted the availability of the July 6, 2022 Minutes of the Regular Meeting. She called for edits or revisions. Wetlands Officer Miller noted a revision to line 305, page 8, under the Application IWWA 14-2022, for 37 Rice Road.

**MOTION:     To APPROVE the Minutes of Regular Meeting of the Inland Wetlands and Watercourse Agency dated July 6, 2022 with the following amendments:  
Page 8, Line #305. “Wetlands Agent Miller ~~so~~ **NOTED** Ms. Bidwell came in and file the Zoning paperwork.....”**

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

**VOTE:             In Favor:         Talamini/Kebschull/Osborn/Pippin**

**Opposed:         No one**

**Abstained:         Baker**

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

**VII. PUBLIC HEARINGS:             None**

**VIII. CONTINUED PUBLIC HEARINGS:         None**

**IX. NEW BUSINESS:**

- 1             137 Scantic Road – IWWA #15-2022 – Applicant: Travis Neidlinger.  
Construction and Infrastructure related to a 3-lot Residential  
Subdivision within 150-foot upland review area:**

Chairman Talamini read the description of this application.

Wetlands Agent Miller advised the Commission that the wetlands were delineated by REMA Ecological Services under the plans submitted in July. Town Engineer Norton has offered comments as noted in Wetlands

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Agent Miller's Staff memo, and Fire Marshal Austin has requested documentation that fire trucks will have clear access to the new houses. The North Central District Health Department is reviewing the plans as they relate to proposed septic systems but their response remains pending at this time.

T. J. Barresi, of Barresi Associates, is present remotely to present the application for Travis Neidlinger.

Mr. Barresi advised the Commission the parcel is known as 137 Scantic Road. The proposal is to create activity within the 150-foot upland review area on this 37.81 acre parcel which is located within an R-3 residential zone. The parcel is located on the east side of Scantic Road north of Woolman Road, and the south side of Cemetery Road. Mr. Neidlinger currently owns a single-family residence on this same parcel with access off of Scantic Road, Mr. Neidlinger's home is served by well and septic.

Mr. Barresi reported the proposal is for a 3-lot subdivision on the southwest corner of the parcel. The 3 lots, containing 1.4+ acres, 7.7+ acres, and 2.5+ acres respectively, comprises 11.7 acres of the 37.81 acres. All lots would be served by septic systems sized to support a 3-bedroom home. All lots meet the minimum lot buildable requirements for the Zoning Regulations.

Mr. Barresi referenced sheet 6, which is a conceptual plan showing a single-family home and driveway off of Scantic Road. Lot 2, containing the 7.7+ acres, will be a rear lot, they've reduced the grading to reduce the amount of fill and grading in the regulated area. The proposed activity doesn't change the drainage patterns in the area. Cross culverts are shown at each driveway to maintain the existing swale. A drainage study, including existing and proposed conditions, was submitted. Erosion and sedimentation controls include silt fence and construction entrance pads, and outlet protection pads, which need to remain in place until the area is stabilized. Mr. Barresi reported they're proposing the installation of street trees along Scantic Road to soften the effect of the new construction.

Mr. Barresi reported wetlands do exist in the area of the proposed lots, the wetlands have been delineated by George Logan of REMA Ecological Services. Mr. Logan found 5 wetlands areas within the area of the proposed subdivision. Total wetlands on the property are 3.7 acres.

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Mr. Barresi reported his office prepared a topographic map of the existing conditions in the area of the proposed development. While the property is fairly flat there is a slight grade in the northeasterly direction away from Scantic Road and eventually drops down to the existing wetlands. There's an existing swale running along Scantic Road from south to north towards one of the wetlands areas. Much of the parcel is wooded with treetops littering the ground which were cut in the past. There's an existing dirt road in this area which was presumed to have been created when the trees were cut down.

Mr. Barresi reported that in February of 2022 they performed soil deep tests at the request of the North Central District Health Department and installed monitoring pipes to install water table elevation through the wet season into June, perc tests were also performed to measure the absorption rate of the soil

Regarding permitted activities Mr. Barresi noted there are a total of 37.8 acres within the parcel. The area of inland wetlands is 3.7 acres, the area of the upland review area is 17.8 acres, the upland review activity is 2.2 acres, and the total area of land disturbance is 3.9 acres. Mr. Barresi indicated the area of direct wetland activity is zero as no direct activity is proposed in the wetlands.

Mr. Barresi referenced Town Engineer Norton's comments which include some minor housekeeping items. Town Engineer Norton has also requested the driveways be modified where they intersect with Scantic Road.

Mr. Barresi noted the Water Pollution Control Authority has confirmed there is no sewer available to this parcel. An application has been sent to the North Central District Health Department for the septic systems, but they have not yet heard a response back.

Mr. Barresi concluded his presentation. Chairman Talamini asked for comments from the Commissioners.

**Commissioner Kebschull** joined the meeting remotely. He raised the following questions:

- **Effect on swale at Scantic Road/ Condition of subdivision location:**  
Commissioner Kebschull noted this has been a dry season, he questioned how deep Mr. Barresi had to dig to get to the swale, and

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how transmissible is the water that goes into the wetlands? Mr. Barresi indicated they are maintaining the existing elevation of the swale at Scantic Road. The cross-culvert pipes will match the existing grade, we're not changing the slope or pitch of that swale at all.

Discussion followed regarding the location of the site. Mr. Barresi suggested going south from the Church on Scantic Road towards Woolam Road the location of the proposed subdivision as the heavily wooded area which is littered with treetops from an earlier activity of harvesting. Mr. Barresi suggested it had been challenging to access the area to develop his reports. Commissioner Kebschull questioned if the area is swampy? Mr. Barresi suggested it was swampy towards the rear of the wooded area.

**Commissioner Osborn:**

- **Status of septic system approval:** Commissioner Osborn questioned if the septic systems have been approved? Mr. Barresi reported the application has been made to the North Central District Health Department, but the reply remains pending. Apparently the application was misfiled and hadn't been reviewed. Mr. Barresi indicated they reported they hope to have a reply for the Planning and Zoning Meeting next week. Mr. Barresi anticipates a positive reply as the septic systems have been designed to support 3-bedroom homes, which meets the health code.

**Jim Giorgio, 40 Barber Hill Road,** joined the discussion from the in-person audience. He understood that the three locations passed the health code at that time, they just wanted us to monitor around them for the next few months to see what would happen adjacent to them.

**Commissioner Osborn:**

- **Swale at Scantic Road/affect on water flow:** Commissioner Osborn questioned the drainage in the front along Scantic Road and the proposed installation of piping, he questioned in what direction would the water flow? Mr. Barresi suggested it would flow right to left, Commissioner Pippin suggested it would flow towards Cemetery.

**Commissioner Pippin** indicated he reviewed the information regarding the perc tests, he offered Commissioner Kebschull additional information regarding the site location. Commissioner Pippin raised the following

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questions:

- **Sidewalk waivers:** Commissioner Pippin also referenced Page 1, item 3, regarding a waiver of sidewalks along Scantic Road. Commissioner Pippin concurred with the waiver, as he felt the addition of sidewalks would upset the drainage along the road, and perhaps impact the wetlands. Commissioner Pippin suggested the Commission's concurrence with the waiver should be conveyed to the Planning and Zoning Commission, they could also consider a fee-in-lieu of sidewalks as well. Mr. Barresi reported if the waiver isn't granted it would require a change in the design of the lots, and a return to this Commission. Commissioner Baker indicated he follows the Planning and Zoning meetings, and they are aware of the implications of these requests.
- **Seeding and stabilization schedule:** Commissioner Pippin also referenced page 7, item 1 regarding the seeding and stabilization schedule, which isn't reflected in the 14 conditions. He suggested that work should be done before the Fall to avoid problems which have occurred on other sites.

**Commissioner Baker:**

- **Deed acknowledgement of existence of wetlands:** Commissioner Baker noted that often years down the line when a property changes hands the new buyer isn't aware of wetlands on the property. He questioned if a note could be added to the plans, or could some other action be taken? Wetlands Agent Miller indicated she was told that information must be recorded by the landowner. Mr. Giorgio suggested as the developer he would make the purchaser aware not to put grass clippings etc. in wet areas. Discussion followed regarding options to make future landowners aware of wetlands areas.

Noting a proposed motion had been prepared by Wetlands Agent Miller Chairman Talamini queried the Commissioners for additional comments. Commissioner Baker requested the addition of a condition requiring the acceptance of the septic systems by the North Central District Health Department. Commissioner Pippin felt the additional condition was unnecessary as if North Central District Health Department approval was denied the application would be returning to this Commission for a redesign.

**MOTION: To APPROVE IWWA #15-2022 Travis W. Neidlinger, owner. Request to conduct regulated activities to create a 3-lot subdivision with future infrastructure and new construction at 137 Scantic Road; nearest intersection is**

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**Woolam Road. Assessor's Map 044, Block 33, Lot 001.**

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

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

**X. OLD BUSINESS:** None

**XI. MISCELLANEOUS:**

1. **232 South Main Street – Tighe & Bond Restoration/remediation plan development proposal – referral to Board of Selectmen (Motion required):**

Chairman Talamini opened discussion on acceptance of the Tighe & Bond restoration/remediation plan.

Wetlands Agent Miller reported that in January 2021 the Town entered an agreement with Jim Balch regarding the illegal filling of wetlands and watercourses at 232 South Main Street. It was agreed the work would be done in 3 phases, the first phase, which has been completed, was the study of the impact of the filling. The next phase is to complete the soil study performed by Tighe & Bond. This discussion is regarding the Commission's acceptance of the proposed restoration plan and to send it to the Board of Selectmen for approval.

Commissioner Pippin cited concern that usually 3 bids would be required for similar work. Commissioner Baker cited the bids were acquired at the beginning of this study. Wetlands Agent Miller concurred, noting she understands Mr. Balch is on board with this agreement.

Chairman Talamini called for a motion.

**MOTION:** The Inland Wetlands & Watercourse Agency awards the contract to Tighe & Bond for the development of a restoration/remediation plan for the property located at 232 South Main Street, East Windsor, CT. and formally refers it to the Board of Selectmen for approval.

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

**VOTE:** In Favor: Talamini/Baker/Kebschull/Osborn/Pippin

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**(No one opposed/No abstentions)**

**XII. AGENT REVIEW AND DECISIONS:**

- 1. Violation Report:** no new complaints
- 2. Skylark Airport update – NOV letter:**

Wetlands Agent Miller reported she and Director of Planning and Development Calabrese met at the site with the owner, Mr. Behmer. It was determined that Mr. Behmer had been in violation of filling at the airport previously. Mr. Behmer has agreed to attend the Inland Wetlands Agency September meeting to informally discuss the situation at the airport and develop a plan.

Wetlands Agent Miller advised the Commission she has officially sent Mr. Behmer a Notice of Violation Letter.

**XIII. VIOLATIONS:** None

**XIV. CONFERENCES/SEMINARS/TRAINING:**

**XV. CORRESPONDENCE:** None

**XVI. GENERAL BOARD DISCUSSION:**

Commissioner Osborn advised the Commission he is seeking reappointment to this Commission at the Board of Selectmen's Meeting tomorrow evening. The Commission acknowledged Commissioner Osborn's contribution to the work of the Agency over numerous years; they look forward to his continued support for the importance of wetlands oversight.

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

Chairman Talamini offered an opportunity to members of the in-person audience to offer comments or raise questions, no one requested to speak. Chairman Talamini then offered the remote participants the same opportunity to comment; no one requested to be acknowledged.



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

No **EXECUTIVE SESSION** this evening.

**XIX. ADJOURNMENT:**

**MOTION: To ADJOURN this Meeting at 7:30 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