

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

Regular Meeting

Wednesday, October 5, 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 October 5, 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 was also available to remote participants.

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, coordinated the in-person meeting. Also present in-person were: IWWA Secretary Osborn; IWWA Vice Chairman Pippin; James Sipperly, representing Skylark Airport; John Burnham, representing The East Windsor Historical Society, and East Windsor Show Stables; Tim Ludwig, representing East Windsor Self Storage; and Corrianna and David Doherty.

Remote Guests (as identified on meeting participation list): IWWA Chairman

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Talamini, IWWA Commissioner Baker, IWWA Commissioner Kurt Kebschull, Peg Hoffman, Recording Secretary.

II. ESTABLISHMENT OF QUORUM:

Chairman Talamini noted the establishment of a quorum with 5 Regular Members in attendance. IWWA Vice Chairman Pippin, and IWWA Secretary Osborn are present in-person, and IWWA Chairman Talamini, IWWA Commissioner Baker, and IWWA Commissioner Kebschull participated remotely as noted above. All Members will sit in on votes this evening

III. PLEDGE OF ALLEGIANCE:

Everyone stood to recite the Pledge of Allegiance.

IV. AGENDA ADDITIONS:

Chairman Talamini called for ADDED AGENDA items. Wetlands Agent Miller requested the following additions:

1. Discussion of concurrence with an Agent Decision regarding work on the new Senior Center (28 Abbe Road), and,
2. Discussion of landlocked parcel on East Road.

V. APPROVAL OF MINUTES – August 3, 2022 – Regular Meeting:

Chairman Talamini noted the availability of the Meeting Minutes for IWWA Regular Meeting dated August 3, 2022. She called for comments, concerns, or revisions; hearing no requests she called for a motion of approval.

MOTION: To APPROVE the Minutes of Regular Meeting of the Inland Wetlands and Watercourse Agency dated August 3, 2022 as presented.

Osborn moved/Pippin seconded/DISCUSSION: None

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

VI. NEW APPLICATIONS TO BE RECEIVED: None

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VII. PUBLIC HEARINGS: None

VIII. CONTINUED PUBLIC HEARINGS: None

IX, NEW BUSINESS:

1. Vote to approve 2023 IWWA Commission Meeting Schedule:

Chairman Talamini noted the Commission has been provided with a proposed meeting schedule for 2023; she called for comments.

Commissioner Baker suggested deleting July 5th, noting he, personally, would not be attending due to July 5th being close to the July 4th holiday. Chairman Talamini suggested leaving the date on the schedule and revising it when the date approaches.

MOTION: To APPROVE the 2023 Inland Wetlands and Watercourse Agency Meeting scheduled as proposed.

Pippin moved/Osborn seconded/DISCUSSION: None

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

2. Nomination of IWWA Commission Officers for 2023:

Chairman Talamini called for nominations for Commission Officers for 2023.

MOTION: To NOMINATE Rebecca Talamini for Chairman, Dick Pippin for Vice Chairman, and Rick Osborn for Secretary.

Baker moved/Pippin seconded/DISCUSSION: Chairman Talamini called for additional nominations. Hearing no other nominations Chairman Talamini declared the nominations be closed, and called for a vote.

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

X. OLD BUSINESS: None

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XI. MISCELLANEOUS:

1. Informal Discussion: Skylark Airport (54 Wells Road), Compliance proposal – James Sipperly, representative:

Wetlands Agent Miller introduced James Sipperly, who has joined the Commission to discuss the activity at Skylark Airport. Mr. Sipperly advised the Commission of his credentials, noting he is a certified soil scientist.

Mr. Sipperly reported that Bruce Behmer, owner of Skylark Airport, contacted him some time ago to investigate work which was done previously at the airport. Mr. Sipperly indicated trees were cleared and the land cleared on the west side of the hanger. Mr. Behmer was issued a violation letter for that work. The existing runway was repaved, and piles of stone and 18 to 24 inches of clean fill was left in the area, which was regraded into the wetlands on the north side of the property.

Mr. Sipperly reported that he flagged the wetlands boundary in June (2022).

Wetlands Agent Miller reported she and Planning Director Calabrese met with Mr. Sipperly in June, Mr. Sipperly agreed to come in tonight to discuss the status of the situation. Mr. Sipperly reported that Mr. Behmer has agreed to remove the fill outside of the 150 foot upland review area. Chuck Sheehan has surveyed the wetlands line, which is within the tree line. Mr. Sipperly reported Mr. Behmer wants to expand the airport and add additional hangers, he understands he'll need to apply for a permit for that work. Mr. Sipperly reported Mr. Behmer is hoping the Commission will agree to his removing the fill outside the wetlands area on the west side of the property which curves back into the tree line. Mr. Sipperly indicated his recommendation would be to authorize removal of the deposited fill.

Commissioner Pippin questioned if the deposited material included topsoil? Mr. Sipperly indicated there is 16 to 18 inches of processed material which has been deposited within the wetlands. Commissioner Pippin suggested the material should be removed down to the topsoil.

Commissioner Baker questioned how much fill was brought in? Mr. Sipperly suggested 565 square feet. Commissioner Baker suggested it

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appears a lot of material was brought in, he questioned how much of that material was topsoil? Mr. Sipperly reported that when Mr. Behmer repaved the runway some fill had already been brought in, and some of that material was topsoil. Commissioner Baker questioned what the material deposited consisted of? Mr. Sipperly suggested it was gravel and stone -clean fill - which was deposited near the hangers and into the wetlands area. Commissioner Baker questioned what other material was brought in? Mr. Sipperly replied nothing, Mr. Behmer was told to stop work, which he did. Commissioner Baker questioned approximately how much material had been brought in for the previous work? Mr. Sipperly suggested perhaps 3 dump truck loads. Commissioner Baker questioned again if topsoil was brought in? Mr. Sipperly concurred, noting the area is a gravel parking lot.

Commissioner Kebschull, joining the Commission remotely, questioned that Mr. Behmer wants to expand the length of the runway? Mr. Sipperly thought not, but he did want to expand the airport.

Mr. Sipperly reported Mr. Behmer has been agreeable when responding to the letters from Wetlands Agent Miller. He understands any further work will require filing a permit with the Planning Department.

The Commission thanked Mr. Sipperly for coming in tonight.

2. Informal Discussion: 33 Abbe Road and 115 Scantic Road – maintenance & extension of walking paths. John Burnham, owner:

Wetlands Agent Miller requested Mr. Burnham join the Commission for discussion of his proposals.

Mr. Burnham initially referenced a Site Plan for a portion of **115 Scantic Road/East Windsor Historical Society** which includes a walking path along the Scantic River. Mr. Burnham noted the white line on the plan being discussed had previously been approved by this Commission, the intent of the East Windsor Historical Society (115 Scantic Road) would be to continue the trail represented by the blue line on the plan. Mr. Burnham clarified that the proposed trail extension is NOT located within the Conservation area.

Wetlands Agent Miller suggested Mr. Burnham file an application for the plan modification; the Commission concurred.

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Mr. Burnham then turned discussion to **33 Abbe Road/East Windsor Show Stables.** Mr. Burnham referenced a plan for the 33 Abbe Road property, noting the blue line represents a dirt path through the woods which is used for walking the show horses. Mr. Burnham reported the path is currently about 6 feet wide, he would like to expand it to 10 feet which may require cutting down some small trees.

Chairman Talamini questioned if Mr. Burnham would be removing any large stumps during the clearing? Mr. Burnham replied he would only be removing small trees if necessary.

Wetlands Agent Miller suggested Mr. Burnham should file an application with the Planning Department. She also questioned if the Commission might consider this activity an As-of-Right Determination.

Commissioner Baker felt the As-of-Right Determination would be applicable; Mr. Burnham should file the map and provide a letter to the Commission. The Commission concurred with Commissioner Baker's suggestion.

3. **Informal Discussion: Besheret Property (Winkler) Hunting and Camping for Private ownership within wetlands. Richard Dusseault, potential owner (Via ZOOM):**

Wetlands Agent Miller reported Mr. Dusseault had intended to join the Commission via ZOOM from Florida but she doesn't see him signed in. She noted he may be having difficulty due to the recent hurricane.

To update the Commission Wetlands Agent Miller reported Mr. Dusseault wants to purchase the property from the current owner for a hunting cabin for his family and friends. She noted the parcel includes significant wetlands.

Commissioner Baker suggested Mr. Dusseault would need a road access for the cabin. Wetlands Agent Miller noted the logging company that had come before the Commission previously has already cleared a dirt road. Commissioner Osborn noted that the logging company hadn't done any logging on the property.

Chairman Talamini suggested Wetlands Agent Miller follow up with Mr. Dusseault for the Commission's next meeting.

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4. Items to include for Annual Report:

Chairman Talamini noted the Annual Report needs to be submitted by November 14th. She suggested Staff review the previous Annual Report and submit a similar report.

5. Discussion of landlocked parcel on East Road:

Wetlands Agent Miller introduced Corrianna and David Doherty, who have asked to appear before the Commission to discuss use of a parcel of land off of East Road.

Mrs. Doherty referred to a 5.6 acre parcel of land (110-77-022) which is located near Sullivan Farm Road which she and her husband are considering purchasing for personal use which would include the construction of a home, and a pig rescue operation.

Wetlands Agent Miller provided the Commission with a mapping layer from the GIS, which identifies the green area as wetlands and the crosshatched area as upland review. Wetlands Agent Miller identified the parcel as 110-77-022, most of which is a boggy area. She noted the entire parcel is landlocked and is behind the Kement Subdivision. Mrs. Doherty reiterated their intent is to put a house in the upper corner of the property. She noted they've been trying to find the farmer who owns the cornfield to the north for possible access, or there appears to be a dirt area at the end of the cul-de-sac. Wetlands Agent Miller suggested another consideration regarding this parcel is the pig rescue operation may also include the need for pasture area.

Commissioner Baker questioned if the pig rescue operation qualifies as an agricultural use, he questioned how many pigs the Doherty's own? Mrs. Doherty reported 5, one of which is a domestic pig which lives in the house. Commissioner Baker also noted the need to be able to include a septic system with the home as there doesn't appear to be any sewer service in the area. Commissioner Pippin assisted with information regarding the septic system and the distance required from a private well as the parcel doesn't appear to be serviced by public water.

Commissioner Kebschull, participating remotely, suggested if the Doherty's need to dig a well they'll also need to get a filtering system, which will add to the cost of this parcel.

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Chairman Talamini suggested perhaps the Town can assist the Doherty's find a more suitable parcel as this parcel has many challenges. She suggested the Doherty's return for additional discussion at the Commission's next meeting.

6. Discussion of concurrence with an Agent Decision regarding work on the new Senior Center (28 Abbe Road):

Wetlands Agent Miller reported Town Engineer Norton wants to get started on work at the new Senior Center at **28 Abbe Road**. It's been determined that a small corner of the existing building is located within the upland review area, the drainage for the new construction will be directed to Abbe Road. The hope is to get this application on the Planning and Zoning Agenda for next Tuesday.

The Commission concurred with the appearance before the Planning and Zoning Commission.

XII. AGENT REVIEW AND DECISIONS:

1. Violation Report – no new complaints:

XIII. VIOLATIONS: None

XIV. CONFERENCES/SEMINARS/TRAINING: None,

XV. CORRESPONDENCE:

1. Email from Tim Ludwig. 115 North Road. Tree Clearing. Potential Agent Decision:

Tim Ludwig joined the Commission in-person to explain his proposal for work at the **Self Storage Facility at 115 North Road**.

Mr. Ludwig noted he did similar work at Newberry Village a few years ago. Regarding the Self Storage Facility, Mr. Milkie, the owner, wants to maintain the existing fence line by removing trees which have grown into the area. Mr. Ludwig reported the material removed from the tree line will be dragged into the woods behind the property. He'll also use a large mower to reach over the fence line and cut the grassed area to the front. Mr. Ludwig suggested he doesn't believe they will be disturbing the

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wetlands for this work.

Mr. Ludwig noted the owner of the dog facility next door doesn't want them to use her property for access, so he is proposing the process he described.

Wetlands Agent Miller questioned if this work will require a permit as it appears to be just maintenance of the property. Chairman Talamini felt it was maintenance work, but she noted there is a detention basin in the front of the property. The consensus of the Commission is no permit is needed for this maintenance work.

XVI. GENERAL BOARD DISCUSSION: None

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

Chairman Talamini queried the in-person audience for comments or concerns; no one requested to speak. Chairman Talamini then offered the same opportunity to the remote participants; no one requested to be acknowledged.

XVIII. 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** this evening.

XIX. ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 8:15 p.m.

Pippin moved/Osborn seconded/DISCUSSION: None

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

Respectfully submitted:

Peg Hoffman, Recording Secretary, Inland Wetlands and Watercourse Commission