

**MINUTES – REGULAR MEETING  
WINDSOR INLAND WETLANDS AND WATERCOURSES COMMISSION  
Tuesday, June 5, 2007**

The meeting was called to order at 7:05 p.m. by Acting Chairman McCarron in the Rose Room of Windsor Town Hall, Windsor, CT.

**I. ROLL CALL**

Present: Charles Vola, Robert McCarron, Marlene Towers, Sharon MacDonald, Linnea Gilbert, Dean Massey (arrived at 7:22 p.m.), Paul Gegetskas and Agent Groff

Excused: Jill Levine, Garry Crosson and Alternate Shana Prevost

A quorum of regular members was established.

**II. PUBLIC COMMUNICATIONS**

Mr. Wilson Alford Jr., on behalf of Dan Ferraina, requested that Item C.1. be moved before the minutes in the agenda.

**Commissioner Vola:** Motion to move Item C. 1. on the agenda before Item III.

**Commissioner Gegetskas:** Second

**All Commissioners vote yes.**

Agent Groff requested that the Violation for Rivertown Village be added to the agenda as Item C. 3.

**Commissioner Vola:** Motion to add Violation of Rivertown Village as Item C.3.

**Commissioner Towers:** Second

**All Commissioners vote yes**

**III. C. 1. Application 07-813 – Daniel Ferraina – 130 West Street (rear) –**  
construction of a single-family home within the 150' upland regulated area.

Wilson Alford, Jr., Alford Associates, representing Dan Ferraina, addressed the Commission. The house is for his daughter. They are proposing a home, driveway and septic system. It is closer to the street with the house than they would normally be to balance the front to the rear area. The area is all open. It was a pasture, currently maintained between a pasture and a lawn and well manicured. They would prefer not to move the house four feet closer to the street as Agent Groff recommended. They are requesting approval as it is. They don't feel that there will be any impact on the wetlands at all.

**Commissioner Gegetskas:** Asked about the 50 feet of the no-disturb area.

**Agent Groff:** There is 50 feet of grading that is no-disturb area. The driveway looks oversized, can the hammerhead be decreased by five feet?

**Mr. Alford:** We can reduce the hammerhead by five feet. If there is 10 or 15 feet from the silt fence to the house, there is no reason to go into the wetlands. There is a review area, but it is not a prohibited area.

**Agent Groff:** We have it in our regulations that for new construction we want to keep 50 feet undisturbed. The preference is to stay 50 feet away. We would want best management practices incorporated. We don't want any big equipment in the back. If the footing drain is shortened and the size of the hammerhead decreased, it brings us 30 feet or more away from the wetlands. The closest point will be at the corner of the driveway and everything else drains towards the street.

**Mr. Alford:** We are not affecting the wetland soils. There is no problem adhering to best management practices. The materials dropped off (i.e., stone, concrete, etc) will come from the front.

**Commissioner Vola:** Motion to accept **Application 07-813 – Daniel Ferraina – 130 West Street (rear).**

**Commissioner Towers:** Second.  
**All Commissioners vote yes**

**Commissioner Vola:** Motion to approve **Application 07-813 – Daniel Ferraina – 130 West Street (rear)** with best management practices, conditions noted by the Agent, construction from the front or the paved driveway and that it be referred to the Agent.

**Commissioner MacDonald:** Second.  
**All Commissioners vote yes**

### **III. BUSINESS MEETING**

#### **A. Minutes**

##### **1. April 4, 2007**

**Commissioner Gilbert:** Motion to approve the minutes of April 4, 2007 as corrected.

**Commissioner Towers:** Second.

**All Commissioners vote yes with Commissioners MacDonald, Gegetskas and Massey abstaining.**

##### **2. May 1, 2007**

**Commissioner Gilbert:** Motion to approve the minutes of May 1, 2007 as corrected.

**Commissioner MacDonald :** Second.

**All Commissioners vote yes with Commissioner Gegetskas abstaining.**

## **B. Old Business**

### **1. Violation – Michael Jezouit – 159 Ethan Drive**

**Agent Groff:** Noted the letter addressed to Mrs. Jezouit. Of the outstanding items listed in the letter, two have been completed; installation of some of the berms and some grading has been done. The only thing outstanding is the landscaping and we are waiting for it to dry out first. The landscaping will be done by hand and the equipment will not be in the backyard.

**Mr. Jezouit** – 159 Ethan Drive – responded that 30 days would be fine. The shrubs and trees are the only thing outstanding.

**Commissioner Vola:** Motion that the work on the backyard remediation project be completed by July 8, 2007.

**Commissioner Towers:** Second

**All Commissioners vote yes**

### **2. Violation – Rollie’s Garage – 990T Archer Road**

**Agent Groff:** This violation is ready to be released. Everything is completed except for the third row of concrete storage blocks. Most of the pile of fill has been removed.

### **3. Violation - Patrick Oni – 30 Stinson Place**

**Agent Groff:** Mr. Oni is making progress, he is in the building phase. I inspected the site in May and all three items required to be done before construction is to begin were completed. He has a deadline of August 1 to finish everything else.

## **C. New Business**

### **2. Connecticut Light & Power - 264 Rood Avenue – presentation of location for new substation**

Attorney Mary Ann Barbino Dubuque, Carmody & Torrance, LLP, on behalf of Connecticut Light & Power Company addressed the Commission. Also available were Kris Aberg, Scott Marotta and Frank Poirot from CL&P who discussed the site selection. Michael Libertine and Jeffrey Peterson, soil scientists with Vanasse Hangen Brustlin, Inc. discussed the impacts.

CL&P is a public utility and therefore do not need a permit from us, only approval of the location. They have met with staff and have accommodated requests for changes from all disciplines. They do not have to comply with regulations but are able to on this site. All of the direct impacts to the wetlands can be remediated on site. The erosion and sedimentation controls appear to be adequate, but may need some additional armoring during construction based on site and weather conditions.

They discussed the alternative sites they looked at, which were ruled out. Either they were all wetlands, not suitable land for a substation, no clearance for lines or near developed residential properties. One site was constrained by Decker's Brook and another was in the Connecticut Flood Plain. The property chosen had to be near the load pocket need so there was a fairly condensed area to look at. They have limited the tree clearing and wetland impact. Currently the plans are to have the substation in service by summer 2009. There will be a 12-18 month construction period. They hope to start construction summer of next year.

**Acting Chairman McCarron:** Is any mitigation needed to the land right now?

**Attorney Barbino Dubuque:** A landscape and mitigation plan will be submitted with the application and it will be an evolving process.

**Commissioner Vola:** Motion to approve the location of the substation at 264 Rood Avenue.

**Commissioner Towers:** Second

**All Commissioners vote yes.**

### **3. Violation – Rivertown Village**

**Agent Groff:** The berm between the community building and 22 River Town Road has been removed. Mr. Pelletier and I agreed to landscaping the area between the two buildings due to the grade down to the wetland behind 22 River Town, the community building, and 401 Tributary. He has proposed a row of Arborvitae. I would suggest interspersing another evergreen species to avoid a monoculture. Either Red Cedar or Hemlock would work fine in this area. The only remaining outstanding issue is the deposition of soil in the wetland from erosion behind 401 Tributary. Mr. Pelletier has stated that he will remove that sediment with a "potato hook" and 5 gallon buckets by hand. This should be done when the season dries out a little to allow access and less damage to the wetland. Another complaint was received from a resident at 18 River Town Road on Friday. I will make arrangements with Mr. Pelletier to address the issues in that complaint. This site has been a continuing problem for erosion and sedimentation control and maintenance. Logs for the catch basin maintenance and sweeping have not been kept. One or two days prior to rain events, I usually go to the site to inspect and let them know what they need to do and then it is a rush for them to get it done.

**Acting Chairman McCarron:** asked if the silt fence that fell down was put back up.

**Agent Groff:** Yes, the fence has been put back up.

Mr. Larry Pelletier was available to answer questions from the Commission.

The Commission asked the Agent to meet with Mr. Pelletier again on site to go over continuing issues and items in the new complaint.

### **D. Applications Received 1 day before meeting**

None.

#### **IV. AGENT SIGN-OFFS**

- A. Application AA06-127 – Dawn Hudlow – 63 Hollowbrook Road** – construction of a 16' x 18' addition on piers within the 150' upland regulated area.
- B. Application AA07-128 – Wayne Boyko Sr. – 66 Winthrop Road** – remove debris, regrade, construct drainage swale with rip-rap and stabilize banks with soil, stone and vegetation; construct a 10' wide paved area next to existing driveway within the 150' upland regulated area.

**Agent Groff:** Behind the property is there is also a failure of town drainage and which will be repaired that through a town maintenance repair.

- C. Application AA07-129 – Thomas J. Cahill – 31 Rainbow Creek Road** – construction of a 16' x 20' deck on piers within the 150' upland regulated area.
- D. Application AA07-130 – David Anderson – 60 Tamarack Drive** – construction of a 16' x 16' deck on piers within the 150' upland regulated area.
- E. Applications Remanded to Agent**
  - 1. Application 07-807 – 1 & 11 Griffin Road North** -Construction of a 450,000 square foot building with associated infrastructure, grading, and paving with the 150' upland regulated area.

**Agent Groff:** This property is The Hartford. They have their foundation permit and have been bringing in steel. They are moving very fast.

#### **F. Town Maintenance Applications**

**Agent Groff:** reminded the Engineering Department that they owe six applications for projects, three of which have been completed.

#### **V. MISCELLANEOUS**

**Agent Groff:** The Lord lawsuit is ongoing, we have made an offer but don't know if it was accepted yet.

#### **VI. AGENT REPORT**

- A. Annual Elections to be held at August Meeting**
- B. Annual report to Council on August 6<sup>th</sup>**

**Agent Groff:** Chairman Levine will be doing the annual report to the Council on August 6<sup>th</sup>.

#### **C. Other**

**Agent Groff:** Received a copy of DEP application for a company, Borg Pesticides, They will be working at Konica Pond at Old Day Hill Road and Keeghan Pond at the intersection of Rainbow and Merriman Roads. The state gave them a permit.

**Agent Groff:** We received an application for the open alternate position from Charles Lantini.

**Agent Groff:** Two articles and four disks(to be shared among Commissioners) were distributed with the Commissioner packets.

## VII. PETITIONS FROM COMMISSIONERS

**Commissioner Massey:** Announced that his last meeting will be in August since he is moving out of Connecticut to go to graduate school.

**Commissioner Towers:** Noted the storm drains signs in parts of Windsor. Stated that Best Management Practices have to be stressed with developers because they are taking down more trees than necessary.

**Agent Groff:** A lot of times developers remove the trees over the weekend because they know they cannot be inspected. As a resident, you can call the police and state that you are a member of the Commission and are concerned that they are over-cutting and request that it be stopped until the site plan can be checked. Request that the police department call me also.

## VIII. ADJOURNMENT

**Commissioner Vola:** Motion to adjourn the meeting at 8:35 p.m.

**Commissioner Towers:** Second

**All Commissioners vote yes**

Respectfully submitted,

I certify that these minutes were accepted on

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Kristin Countryman  
Recording Secretary

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Robert McCarron, Secretary  
Windsor Inland Wetlands Commission