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**MINUTES – REGULAR MEETING
WINDSOR INLAND WETLANDS AND WATERCOURSES COMMISSION
Tuesday, February 06, 2007**

The meeting was called to order at 7:02 p.m. by Chairman Levine in Council Chambers of Windsor Town Hall, Windsor, CT.

I. ROLL CALL

Present: Jill Levine, Paul Gegetskas, Gary Crosson, Charles Vola, Linnea Gilbert, Marlene Towers, Dean Massey (arrived at 7:08 p.m.), Alternate Shana Prevost, and Agent Groff

A quorum of regular members was established.

II. PUBLIC COMMUNICATIONS

Mr. Kurby Bechthold, Bechthold Construction, is doing a development in town. On the last lot he is five feet short for putting up a home the potential buyer selected. The home is 13' longer than originally approved. He is requesting an amendment.

Commissioner Vola: Asked for an explanation of the wetlands. He also asked if there was an alternative of twisting the position of the home.

Chairman Levine: Asked the style of home.

Agent Groff: Explained the wetlands are located in the back of the lots on Marshall Street with the flow coming from Jay Circle. It is not a high functioning wetland, but it still serves a purpose. These homes were approved without basements because of the height of the water table. The homes are colonial.

Commissioner Vola: Stated that we don't want this to appear to be a precedent. The home should have been sized for the lot.

Chairman Levine: Requested that stipulations be placed on the amendment and the home buyer informed of the wetlands.

Commissioner Vola: Motion to allow Mr. Bechthold to put the home on the site with the additional footage closer to the wetlands.

Commissioner Massey: Second.

All Commissioners vote yes.

III. PUBLIC HEARINGS

A. Application 06-777D – ING North America Insurance – Marshall Phelps Road at Poquonock Avenue (Rte. 75) – widen road on northwest side of southbound Poquonock Avenue for right turn lane and north side of Marshall Phelps with upgraded drainage and grading within the 150' upland regulated area.

Mr. Dave Ziaks, F. A. Hesketh Associates, representing ING presented to the Commission. He discussed the traffic improvements and additional turn lanes using sheet PM-2 from the drawings. We have to be sensitive to the homes abutting the area. One of the biggest improvements is the drainage. We are installing a new drainage system to the west of the culvert. We looked at alternatives to the 72" culvert pipe.

Chairman Levine: What is a parapet?

Mr. Ziaks: Replied that it is a 4 ft. high concrete wall. It's a pretty unsafe condition now, so it has to be corrected. It's an appropriate design from a safety viewpoint. We are going to put in a form with a liner when pouring the concrete so that it will have a stone look. The concrete is stained so it looks natural.

Commissioner Towers: How long will this job take?

Mr. Ziaks: It will take four to five months.

Chairman Levine: Opened the Public Hearing.

Chairman Levine: Anyone in favor of the application? None.

Chairman Levine: Anyone against the application?

Mr. Jerry Ward, 1281 Poquonock Avenue, stated that there are already excessive cars blocking his driveway. There have already been a few accidents there while trying to get into the driveway. The town doesn't take care of the fallen trees. The brook has washed out part of his land and he received no help from the town. He sees this as a burden to his family.

Ms. Joyce Ward, 1281 Poquonock Avenue, asked what would be done with the front yard. It is very busy and difficult to pull out of the driveway. Last year the brook overflowed and took out a four foot chunk of their yard. She is concerned that if it floods again, what will happen to the area. She also asked what could be done so that they can get in and out of their driveway. There is also an impact to the front of our property on Poquonock.

Mr. Ziaks: There is a 3' impact here toward the corner, but there is an overall improvement to the traffic.

Chairman Levine: Neither for or against?

Mary Lou Peters, 1312 Poquonock Avenue, asked for clarification of where the new traffic light would be.

Mr. Ziaks: The traffic light will be in the same location.

Agent Groff: The dam that failed above the Ward property on Phelps Brook has been repaired and is lower so it retains less water.

Chairman Levine: The driveway access is a zoning issue and recommended that Ms. Ward call the Town Planner.

Mr. Ziaks: The addition of the wall is a bit of a safety improvement for the Ward's. The point is to return the intersection to a slightly better service than it is now.

Chairman Levine: Closed the Public Hearing (7:40PM).

Chairman Levine: I believe that the application will be an added benefit aesthetically and also the drainage will be an improvement.

Commissioner Towers: Motion to approve **Application 06-777D – ING North America Insurance** with applicable standard conditions.

Commissioner Crosson: Second.

All Commissioners vote yes

IV. BUSINESS MEETING

A. Minutes

1. January 3, 2007

Commissioner Vola: Motion to approve the minutes of January 3, 2007 as corrected.

Commissioner Gegetskas: Second.

All Commissioners vote yes

B. Old Business

1. **Violation – Stephen Plant – 165 Ethan Drive**

Agent Groff: At the last meeting she received the remediation plan from Mr. Plant at 165 Ethan Drive and he has completed what he said he was going to do. It is functioning very well right now. We have to keep an eye on it to make sure it continues to function. The water is moving towards the rear of the property rather than towards 159 Ethan Drive.

2. **Violation – Michael Jezouit – 159 Ethan Drive**

Agent Groff: Received a remediation plan from Mr. Jezouit. He is going to be capping both ends of both pipes and putting in the berms as requested. The grading will be discussed with him when the weather gets warmer and the ground dries out a little.

C. New Business/Accepted Applications

1. **Application 07-802 – St. Paul Travelers – 99 Lamberton Road** – add parking area to existing lot within the 150' upland regulated area.

Postponed for 30 days at the request of the applicant.

2. **Application 07-804 – Aerospace Investment Company – 100 & 102 Skitchewaog Street** – add paved turnaround area at end of existing parking lot within the 150' upland regulated area.

Attorney Thomas Fahey, and Mr. Russell Johnston, Engineer, Meehan & Goodwin, representing Aerospace Investment Company presented the application. They are trying to subdivide into two parcels. One property would house an event planner and one would be for a manufacturer of machine parts, ideal for buildings this size.

Mr. Johnston: They are proposing a new paved turnaround area with easements. The town did request this during early discussions. The existing gravel area on the north side of the property will be paved. A stockade fence will be added for some screening on the north property line where there are no trees existing. The iron pins will be installed at various property corners. A row of hay bales or silt fence will be put up as shown.

Commissioner Crosson: If there were a leak or spill, how would the containment take place?

Attorney Fahey: Based upon the type of businesses, the products they have do not contain hazardous waste. Both end users have thoroughly examined the buildings.

Agent Groff: Any business occupying the space would have to attend a development team meeting for the use.

Commissioner Vola: Motion to accept Application 07-804.

Commissioner Towers: Second

All Commissioners vote yes.

Commissioner Vola: Motion to refer Application 07-804 – Aerospace Investment Company – 100 & 102 Skitchewaog Street to the Wetlands Agent.

Commissioner Gegetskas: Second.

All Commissioners vote yes.

3. Application 07-805 – Town of Windsor – Batchelder Road – reconstruct road and add retaining wall and sidewalk within the floodplain and a wetland.

Mr. Tom Lenehan, Town Engineer, presented the application. The slopes on the causeway failed in October 2005 and became a safety issue. Loomis made it the road one way for a few hundred feet. The goal is to bring the road back to a normal flow with two-way traffic. The original causeway was built in 1922. The entire road surface has settled in the last few years. It was never intended to hold the traffic of the current day and is the only access not impacted by the railroad. The proposal is to rebuild the causeway. Loomis has offered three acres for access for a graded field on the right hand side and sidewalk. In order to rebuild the causeway, we need to construct a retaining wall. We will be bringing in about 950 cubic yards of material and an area has been chosen for mitigation on site.

Commissioner Massey: Where is the mitigation? Will the sidewalk be shoveled in the winter? If it's treated it's not a good idea to put the snow on the pond side.

Mr. Lenehan: (Pointed to the mitigation area on the map.) It is mandatory that sidewalks be shoveled if it is on your property.

Chairman Levine: Will a sweep of the area for the box turtle be done daily? Is the 22 foot roadway wide enough?

Mr. Lenehan: The minimum design criteria are 28 feet, but there are too many impacts to the wetlands by building that wide. Another benefit in narrowing the roadway is that people will drive slower.

Agent Groff: An ecology class at Loomis could probably learn how to perform the sweep for box turtles.

Commissioner Crosson: Motion to approve the report of the floodplain manager's recommendation on this application.

Commissioner Gegetskas: Second

All Commissioners vote yes.

Commissioner Crosson: Motion to accept Application 07-805.

Commissioner Gegetskas: Second

All Commissioners vote yes.

Commissioner Vola: Motion to approve Application 07-805 – Town of Windsor – Batchelder Road with standard conditions and that there be a daily sweep for box turtles and that snow from the causeway cannot be dumped in the pond.

Commissioner Gegetskas: Second.

All Commissioners vote yes.

- 4. Application 07-806 – Real Group II, LLC – 415 Day Hill Road – install generator on pad with associated grading within the 150' upland regulated area.**

Mr. Christopher Stinson, Alford Associates, representing Real Group II, LLC, presented the proposal to install a gas generator on a concrete pad to the east side of the existing building at 415 Day Hill Road. The closest point is 23 feet from the wetland.

Chairman Levine: Is this was the best location for the generator and is it natural gas?

Mr. Stinson: This is the safest location for the natural gas generator. We do expect this installation to be very quick; not more than three days. There was thought to putting a track for vehicles to get in to service the unit. Perhaps grass pavers could be installed as a compromise.

Commissioner Vola: What is the size of the pad and is there sufficient room to install it?

Mr. David Fritzinger: The pad will be about 9' x 16' and there is sufficient room. The generator weighs about 7800 pounds.

Commissioner Vola: Motion to accept Application 07-806.

Commissioner Towers: Second

All Commissioners vote yes.

Agent Groff: The fee has not been paid for this application.

Mr. Stinson: I will see to it personally.

Commissioner Vola: Motion to refer Application 07-806 – Real Group II, LLC – 415 Day Hill Road to the Wetlands Agent with all standard conditions.

Commissioner Gegetskas: Second.

All Commissioners vote yes.

- 5. Application 06-771A – Town of Windsor – Pleasant Street – amend permit for length of time for construction.**

Agent Groff: There are no changes in the parameters of the permit request. The town engineer requested more time to perform the work. The first two phases were done, which were not covered by the wetlands permit. Rather than two months, he is asking for a longer period of time, to start sooner and end about the same time.

Chairman Levine: Is this the piece that is close to the railroad bridge? When would the project start? Can you still adhere to the 48 hours?

Mr. Lenehan: This is the piece close to the railroad bridge. We are reconstructing the roadway adding new drainage, and installing a sidewalk. The late July to early

September window wouldn't be long enough to finish. We hope to get design completed by the end of this month, out to bid and awarded for a late April or May start through November. We don't want the project to drag through two construction seasons. For drainage, it will probably start at the bottom and work up. We can still adhere to the 48 hours.

Commissioner Vola: Motion to amend Application 06-771A – Town of Windsor – amend permit for length of time for construction to allow a window from late April through October.

Commissioner Gilbert: Second

All Commissioners vote yes.

6. Application 07-807 – The Hartford Life Insurance Company – 1 & 11 Griffin Road North – construction of a 450,000 square foot office building with associated infrastructure, grading and paving within the 150' upland regulated area.

Ms. Susan Hays, Updike, Kelly & Spellacy, along with Hartford Life, presented the application. We are building in two phases with the first phase target at September 30, 2008 . Some of the work under the jurisdiction of this Commission will be done in each phase.

Mr. Henry Withers, CR3, LLP gave an overview of the project. There is no impact to the wetlands from this project. We will be working with the wetlands agent to determine a planting plan

Mr. Cory Garro, Close, Jensen & Miller, discussed the development map. This site is very flat and level. Essentially there is zero runoff on the site because of immediate infiltration in the soil. Several retention basins have been designed around the site and infiltrators will be used within the interior ring road. The two retention basins toward the north are designed for the 100-year storm capacity. Stormwater treatment devices will be installed around the parking area prior to the runoff entering any of the basins. ENVIRO 21 is the stormwater treatment device of choice for this project.

Commissioner Vola: Commented that they have done their homework and it will be beneficial to the area with no negative impact on the wetlands.

Chairman Levine: Has the Town of Bloomfield been notified and what if this is approved this evening?

Agent Groff: The notification letter should have been sent to the Town of Bloomfield by the applicant. If this is approved this evening, there is a 15-day appeal period after publication in the newspaper for appeal. Also, they owe the remainder of the fee of \$1,601.00.

Ms Hays: We did not send a letter, but will do it immediately.

Commissioner Vola: Motion to accept Application 07-807.

Commissioner Gilbert: Second

All Commissioners vote yes.

Commissioner Vola: Motion to approve **Application 07-807 – The Hartford Life Insurance Company – 1 & 11 Griffin Road North** with all applicable standard conditions, maintenance of the stormwater devices and best management practices.

Commissioner Gegetskas: Second.

All Commissioners vote yes.

D. Applications Received 1 day before Meeting

None.

V. AGENT SIGN-OFFS

A. Application AA06-123 – Drake & Sons Construction for Michael Plunge – 155 River Street – construction of a 24' x 26' garage on concrete pad with 42" frost wall within the 150' upland regulated area.

B. Town Maintenance Applications

None.

VI. MISCELLANEOUS

A. Commission By-Laws

Agent Groff: I found that we do have by-laws, but they are from 1984.

Chairman Levine: Why do we have by-laws if we have regulations from the town?

Agent Groff: Every commission has by-laws and regulations. Our by-laws are different from other commissions. I have been in contact with the Town Manager's Office. The difference is alternate members. The town attorney has been asked to change our by-laws that match everyone else in the State.

Chairman Levine: We should wait for direction from the Town staff.

B. Zoning Regulations – comments for update

Chairman Levine: TP&Z had a meeting a couple of weeks ago and they are going to codify their regulations and incorporate all of the changes made so there are one set and update them to include new types of developments like PUD (Planned Urban Development).

Agent Groff: The memo includes problems we identified from the zoning regulations as being less than supportive.

C. Wetland Regulations update

Agent Groff: We have new model regulations. There are a lot of concerns with some of them. Every municipality is going through aches and pains trying to understand the new model regulations. If you have any input or ideas please let me know. I have started going through our regulations.

VII. AGENT REPORT

Agent Groff: An application pending in Bloomfield has a public hearing on February 20th. I have made significant comments to the Bloomfield Wetlands Agent and the engineering firm Fuss & O'Neil. There are 82 single-family homes off of Route 178 beyond Privilege Drive. There is a CL&P easement and drainage that drains to the north. They came up with a hit on the natural diversity database on a butterfly. This particular butterfly has been found in many communities but not in large quantities so it was put in the natural diversity database. They will probably eliminate four properties and move the road a little bit to pull the houses away from the wetlands on the east side. There are two wetland crossings in their plan. There is a small mitigation area. They are requiring a 50 foot vegetated buffer between the wetlands and any disturbances. They are providing six stormwater treatment devices. The flow into Millbrook will remain the same. The public hearing is at 7:30 p.m. on February 20th at Bloomfield Town Hall if any commissioners would like to attend.

Chairman Levine: Requested the commissioners to be copied on e-mails.

Agent Groff: There will be more neighborhood meetings on the proposal for the golf course, Millbrook Greens. The basic premise won't change. The wetland area along the brook will not change. They are creating a habitat area with a water feature that will be recycling and will be used as passive recreation. A nine-hole golf course will be preserved and remain open to the public. A swimming pool, tennis courts, practice green and new clubhouse will be added. There are no single family homes. The smallest unit is a duplex. Most are in groups of three, some five. The larger buildings are flats, others will be two story townhouses. There will be a 56 foot span bridge arch, so there will be no direct impact to the brook. Their request was to have the Commissioners make comments.

VIII. PETITIONS FROM COMMISSIONERS

Commissioner Vola reported a red fox sighting at Washington Park

IX. ADJOURNMENT

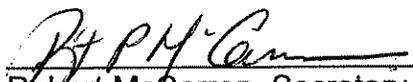
Commissioner Crosson: Motion to adjourn the meeting at 9:26 p.m.
Commissioner Towers: Second
All Commissioners vote yes

Respectfully submitted,

Kristin Countryman
Recording Secretary

I certify that these minutes were accepted on

APRIL 4 2007


Robert McCarron, Secretary
Windsor Inland Wetlands Commission