

**REGULAR MEETING MINUTES**  
**WINDSOR INLAND WETLANDS & WATERCOURSES COMMISSION**  
**WEDNESDAY SEPTEMBER 7<sup>TH</sup>, 2022 7:00PM**

Online webinar, to join via computer please go to the link below  
<https://us02web.zoom.us/j/85435818689>

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Chairman Morando called the meeting to order at 7:00 p.m.

**I. ROLL CALL**

Present: Chairman Morando, Vice Chairman Schibley, Commissioners; D. DeCarlo, C. Elkins, and S. Fraysier.

Also present was Wetland Agent, Chloe Thompson.

**II. PUBLIC COMMUNICATIONS (3-minute limit on items other than Public Hearings)**

No public communications.

**III. BUSINESS MEETING**

**a. MINUTES:**

- Commissioner Fraysier made a **motion to approve the minutes for July 6, 2022**. Commissioner Elkins seconded the motion. **Vote 5-0-0**

**b. NEW BUSINESS**

- Application 22-122: 415, 425 Day Hill Road, Alford Associates - Building Demolition, Proposed Warehouse and Wetland Berm

Christian Alford from Alford Associates addressed the Commission representing the application. C. Alford explained the general details of the site and the existing conditions, which include two commercial buildings and associated parking lots with a bridge crossing the wetlands in eastern portion of the site. C. Alford explained that a berm was created in the past to prevent flooding of downstream properties. This application includes a proposal to increase the size of this berm.

Chairman Morando asked C. Alford to clarify where this berm is in relation to the surrounding wetlands, and what approximate size it is. C. Alford explained the location of berm and stated that the berm is about 200 feet long and roughly 2-4 feet tall depending on the area.

Commissioner DeCarlo asked if the total existing impervious surface area was proposed to increase. C. Alford stated that the total area is proposed to increase. Commissioner DeCarlo asked to clarify that this means that all of the impervious cover including the added coverage is going to all dump

into the one area on the western point of the existing wetlands. C. Alford confirmed this and added that an application with a greater impervious surface area was approved a few years ago, and what they are proposing is less water discharged to this area.

Commissioner Schibley stated that water quality basin C as drawn on the plans is supposed to receive some of this water before being discharged to the eastern wetlands. C. Alford confirmed this and stated that it is a wet basin, which will hold roughly a foot of water. C. Alford also described another water quality basin serving the eastern most parking lot.

C. Alford explained that the berm would be raised with a structure through the center allowing for flow of water. Chairman Morando asked how the berm size was determined. C. Alford said that he made it high enough to hold back water and eight feet wide to allow for maintenance. Commissioner DeCarlo asked if all of the water was being held back by the berm, which would create ponding. C. Alford said that water will be able to flow through a culvert in the berm.

Wetland Agent Thompson asked if the berm was being proposed to alleviate a recurring issue with flooding that has happened in the past; if this berm was to resolve an existing issue. C. Alford said the berm will prevent properties downstream from flooding. Commissioner Fraysier asked if the post construction flows meet or are reduced from the existing conditions. C. Alford said the flows will match what was existent before initial development. W. A. Thompson listed the metrics from the application which show a greater volume of discharge after construction. C. Alford said that these numbers are from 1999, not from initial construction in 2002.

Commissioner Fraysier asked how the bridge will be removed. C. Alford stated that a crane will be used to not impact the wetlands. Commissioner Fraysier asked how the wetlands will not be impacted if they have to remove the structure. C. Alford read the construction schedule from a potential contractor; the column footings will be cut and remain rather than removed.

C. Alford explained the activity to impact the wetlands.

Vice Chairman Schibley asked for detail on the square footage of impervious surfaces in regard to discharge points. Vice Chairman Schibley also asked for additional metrics on the discharge volume post 2002 construction, stating that the Commission needs existing conditions of the site as well.

Vice Chairman Schibley asked if there will still be a large pipe discharging to the wetlands, or if all of the runoff will first enter water quality basins. Vice Chairman Schibley noted that the roof water discharges directly into wetlands rather than entering a water quality basin first, and asked if there was a reason for this. C. Alford said that the basin would have to be enlarged in order to compensate for this.

C. Alford stated that the water that is discharging into existing drainage pipes and is an entirely connected system. Vice Chairman Schibley stated that the detail of these was hard to see on the plans. Commissioner DeCarlo asked if the entirety or vast majority of the discharged water was eventually meeting all at one discharge point in the eastern point of the wetlands. C. Alford confirmed this. C. Alford stated that they would be enhancing the outfall with riprap and raising the elevation by three feet.

Vice Chairman Schibley asked for additional detail on the "emergency spillway". C. Alford stated that water is expected to flow over the berm but in the event that there is a surcharge of water, the spillway will allow water to flow.

Commissioner DeCarlo asked what the difference in elevation was in the area between water quality basin B and the wetland boundary. There are missing topographic lines on the plan in this location. C. Alford stated that the edge of the wetlands is at 154 feet.

Vice Chairman Schibley asked C. Alford to confirm that the eastern most parking lot may or may not be constructed based on the tenant. C. Alford confirmed this, but they would like this to be approved as part of the application; it may not be needed. C. Alford added that basin B would also not be constructed if the parking lot was not.

Vice Chairman Schibley asked how erodible the soils were. C. Alford said that George Logan will comment on this, but that is why they are discharging at the wetlands rather than over upland areas; to reduce risk for erosion.

Vice Chairman Schibley noted on C.6.1 that silt fencing is not around a very steep slope adjacent to the wetlands. C. Alford said there is pavement in this area and that is why it isn't included in this section.

Wetland Agent Thompson noted that the plans C. Alford was presenting were different than those submitted with the wetlands application. C. Alford said that he has updated the plans since submittal and will send the new versions.

George Logan, Professional Wetland Scientist from REMA addressed the Commission as the environmental consultant for this application. G. Logan detailed the wetlands on site, and the characteristics of each type. G. Logan also explained the details of the wetland impact areas. G. Logan stated that there are no vernal pools on-site.

Commissioner DeCarlo asked if the area adjacent to the eastern parking lot was flooding at all. G. Logan said that it does experience about a foot of water in the wetland area during peak flows. G. Logan added that the plants inhabiting this area would not tolerate levels higher than this.

Vice Chairman Schibley asked G. Logan which section of the functions and values is attributed to the wetland directly adjacent to the existing building to the east. G. Logan stated that he did not separate the two wetland areas. Vice Chairman Schibley expressed concern with the wetland areas that are directly downslope a steep gradient from construction, and stated that being able to understand the principle functions and values in this specific location would help evaluate the full extent of what wetland impacts are to be expected.

Vice Chairman Schibley stated that his main concerns are the increase in impervious coverage and how peak flows will impact wetlands and watercourses (Mill Brook) downstream from this wetland system. Vice Chairman Schibley added that he would like more information regarding this specifically at the next meeting. G. Logan stated that this wetland area has been damaged previously, and natural restoration is likely to occur if water quality efforts and discharge rates are improved at this site.

Commissioner Fraysier asked if the stream is consistently flowing. G. Logan stated that the stream is considered perennial, and flow is likely to occur year-round. A watercourse doesn't fully develop until the southern tip of the pond.

Commissioner Fraysier asked how the consistently flowing stream is this going to be managed during construction of the berm. C. Alford said that the berm can be constructed at any time, and the flow will go around construction. Commissioner Fraysier asked how this was going to be

accomplished. C. Alford said the berm should only take a few days to complete so they could wait for a dry period or during the winter. Vice Chairman Schibley suggested confining the work to be done in wetlands, and water quality basins to dry periods and to be done as quickly as possible. C. Alford stated that work will be done before any of the other work is begun. Vice Chairman Schibley stated that if they plan on starting in March, accomplishing this work first as well as during a dry period may not be feasible. Commissioner Fraysier suggested making this a condition of approval unless additional detail on the schedule was to be provided at the next meeting.

Commissioner Fraysier asked W.A. Thompson if the Engineering Department has reviewed this application, and if feedback will be provided to the Commission before the next meeting. W.A. said it has been sent out for third party review which will be completed before the Planning and Zoning Commission's approval.

Commissioner Fraysier asked the Commission if they felt it necessary to hold a public hearing on this application. Vice Chairman Schibley stated that he does not feel one is necessary based on the lack of public interest and the details of the application in regard to wetland impact. Chairman Morando agreed that a public hearing is not necessary.

Commissioner DeCarlo stated that he feels it is necessary to add silt fencing along the area Vice Chairman Schibley previously mentioned adjacent to a steep slope regardless of existing curbing.

Commissioner Schibley made a **motion to accept application 22-122: 415, 425 & 505 Day Hill Road, Alford Associates – Building Demolition, Proposed Warehouse and Wetland Berm.** Commissioner Elkins seconded the motion. **Vote 5-0-0**

#### IV. AGENT ACTION

Wetland Agent Thompson read the following agent approvals to the Commission.

- AA22-116: 159 Ethan Drive, Aqua Pool & Patio Inc. – 20' x 40' In-ground pool
- AA22-117: 1339 Crest Dr., Nash Ghazwan – 6ft Fence in backyard
- AA22-118: 694 Palisado Ave, Earthlight Technologies – Ground mounted solar panels
- AA22-119: 700 Park Ave, Evangelio Cruz – 12' x 8' Pool Deck
- AA22-120: 104 Carriage Way, Mandi & William Riley – 27' Above Ground Pool
- AA22-121: 94 Regency Drive, Clifton Miller – 48' x 20' House addition
- AA22-123: 33 Shelley Ave, Mark Thomas – House additions and driveway
- AA22-124: 73 Woodland St, Slater Construction Co. – 10x12 Shed
- AA22-125: 1222 Poquonock Ave, MDC – Paving existing gravel access road
- Permit Modifications
  - 311, 315, 321 Rainbow Road – Added level spreader
  - 99 Lambertson Road – Increase in activity within limit of disturbance
  - 123 Great Pond Drive – Fence relocation

## V. AGENT REPORTS

- 2101 Day Hill Road (Abutting 123 Great Pond Dr. – Emhart Glass)

W.A. Thompson stated that this property is currently has dirt bike trails going through its entirety, most of which are directly adjacent to forested wetlands and a direct tributary of Mill Brook. A portion of this property falls within 100 year flood plain as the tributary flows south approaching Mill Brook. W.A. Thompson added that based on historical imagery, this activity has been ongoing for at least 20 years.

Commissioner DeCarlo noted that these appear to be man-made and maintained trails. Vice Chairman Schibley stated that anytime the ground is manipulated this heavily this shouldn't be considered a "grandfathered" activity given the length of time this has been on-going and this is in-fact regulated activity.

Chairman Morando asked who it is that is engaging in this activity. W.A. Thompson said that the property is owned by Iron Bridge LLC which has the mailing address listed to 57 Hansom Hill, last name Formanek. W.A. Thompson has called the property owner and left voicemails several times with no response. Given the lack of response an enforcement letter will be issued.

- Great Pond Phase II

W. A. Thompson described the timeline of the violation that occurred along the stream south of Small Pond as a part of the construction of Great Pond Phase II project. Roughly 10-15 cubic yards of sediment was deposited into the stream to allow for heavy machinery to access another portion of the site without entering Day Hill Road. Since this time, the material has been removed and proper sediment and erosion controls were installed. W.A. Thompson explained that the contractor and other parties involved were informed this was only the first phase of restoration that must occur in this area as a result of this violation.

W. A. Thompson stated that she should be hearing back from the parties involved in regard to restoration efforts once construction and other surrounding disturbances are complete.

- Amazon Stream Restoration Update

W.A. Thompson provided the Commission with a brief update in regard to the wetland restoration. W.A. Thompson explained that the property owner, Steve Stosonis was not satisfied with the level of sediment removed from portions surrounding the stream close to the upper sediment pond. W.A. Thompson said that she felt more could have been removed as well, but it would have required that the stream also be dredged further for the elevations to stabilize and this was a greater impact to the stream and surrounding wetlands and banks. W.A. Thompson asked the Commission to provide feedback if they felt additional effort was needed, and stated that a formal report of the restoration progress and site conditions is expected to be submitted this fall from All Points Technology.

W.A. Thompson stated that additional erosion was noted downstream of basin E, but APT was aware of this and monitoring this as the flow of these systems attenuate after construction.

- VI. PETITIONS FROM COMMISSIONERS
- VII. ADJOURNMENT

Commissioner Schibley made a motion to adjourn at 9:05pm and Commissioner DeCarlo seconded the motion. Vote 5-0-0

I certify that these minutes were approved on

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Marlene Towers, Secretary  
Inland Wetlands and Watercourses Commission