

REGULAR MEETING MINUTES
WINDSOR INLAND WETLANDS & WATERCOURSES COMMISSION
WEDNESDAY APRIL 5TH, 2023 7:00PM
Online webinar, to join via computer please go to the link below
<https://us02web.zoom.us/j/85435818689>

Chairman Morando called the meeting to order at 7:03 p.m.

I. ROLL CALL

Present: Chairman Morando, Secretary Towers, and Commissioners; K. Elder, C. Elkins, S. Fraysier and Alternate Commissioners: J. Adamson, and M. Cote.

Also present was Wetland Agent, Chloe Thompson.

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

The property owner of 116 Alcott Drive addressed the Commission as Kevin Gayle explaining that he has spoken with the Wetland Agent and was unaware that there may be wetlands in the area he cleared for a pool.

III. BUSINESS MEETING

- **MINUTES**

Commissioner Elkins made a **motion to approve the minutes as amended for March 7th**. Commissioner Towers seconded the motion. **Vote 7-0-0**

- **OLD BUSINESS**

- Application 23-144: Hunters Ridge, CT Drainage Pro's – Drainage pipe installation and erosion remediation

Chairman Morando reviewed the comments from the Engineering Department, and noted that an excavation permit has not yet been filed, which is required by the Engineering Dept.

Commissioner Adamson asked what the corrugated pipe in the pictures was used for. Roger Kellman, P.E. from F.A. Hesketh Associates addressed the Commission as the representative for the application. R. Kellman stated that he did not know what the pipe was used for, and suggested that it was just a pipe that was temporarily placed on the ground and happened to be in the picture.

R. Kellman also explained that he has spoken with the property owners and there will be no more dumping of leaves, brush and grass clippings on town property. If the town wishes, all mowing of this area will also cease.

Commissioner Fraysier made a **motion to approve application 23-144: Hunters Ridge, CT Drainage Pro's – Drainage pipe installation and erosion remediation, with the condition that all dumping of material cease in the wetlands and that an excavation permit be filed with the Engineering Department**. Commissioner Elder seconded the motion. **Vote 7-0-0**

- **NEW BUSINESS**
 - Permit Modification Request: Application 21-230: 777, 903, & 1001 Day Hill Rd, Alford Assoc. – Fill Removal Operation

Skip Alford addressed the Commission as the representative for this application. Also present was Mark Greenberg, property owner. S. Alford explained that the previously approved phasing of the excavation was deviated from and expanded from ~13ac to ~15ac. The proposed modification is to alter the current conditions to follow the initial phasing and begin excavation as planned previously, from the south moving north.

Wetland Agent Thompson stated that the contractor had moved forward without approval and removed the top soil in the southern portion of the site outlined in red, and asked S. Alford to confirm this. S. Alford stated that the contractors have since replaced the topsoil and seeded.

Wetland Agent Thompson listed the main differences from the initial approval:

- At the time of initial approval, the drainage report and calculations were missing in the application,
- the time period in which this project is to be completed by has doubled in length,
- the area of excavation has increased roughly 2 acres and,
- the volume of material deposited has increased roughly 1,200 cubic yards.

S. Alford stated that the increase in time also accounts for the time of the project which began 2 years prior and expect to need the additional time to complete the ongoing operations.

Commissioner Adamson asked if the red outlined area in the south is currently at the grade depicted in the site plan. S. Alford confirmed this.

Chairman Morando asked W. A. Thompson where she noticed there was no drainage report. W. A. Thompson stated that in the application itself, there are missing values and detail. S. Alford stated that this report was submitted to and approved by the Engineering Department before the site plan approval from the Planning & Zoning Commission. S. Alford added that there are no changes expected in the drainage calculations for these modifications.

Commissioner Fraysier asked why the phasing was important and what the logic was behind the sequencing. S. Alford stated that the phasing was simply a workflow plan, but whether or not they started from the north or the south made no difference overall. S. Fraysier asked if the previous approval was requiring them to adhere to this phasing or if they were approving of the final product. W. A. Thompson stated that the Commission was approving of the means and methods of the project which included the phasing as this also held the applicant to leave only a certain acreage of land exposed at one time. There may have been other reasons as to why this phasing was to be followed as well, but those were the proposed conditions of which were approved. Commissioner Elder asked if there was more than four acres of land exposed at one time. W.A. Thompson said that there was roughly 12-18 acres of exposed land at one time. S. Alford stated that there was in fact a violation of the permit, and this proposed modification to the permit is to address the deviations and stabilize enough area of the exposed land to come into compliance to what was previously approved. S. Alford added that the wetlands have not been impacted by this activity.

Commissioner Fraysier asked if there were any erosion issues in the northern portion of the site, outlined in green. S. Alford stated that all of the runoff falls into the excavated area and all sediment was contained within.

Commissioner Fraysier asked what the acreage of the southern area is. S. Alford stated that it is five acres, and they plan to adhere to having no more than four acres exposed at one time according to the original phasing plan.

Commissioner Fraysier asked how long it would take for the northern area to be seeded and stabilized. S. Alford stated that this is mostly complete. Commissioner Fraysier noted that this would have to be complete before starting excavation of the southern area.

Commissioner Towers asked where the additional acreage in excavation took place. S. Alford showed that this occurred in the northern area, outside of the upland review area.

Commissioner Towers asked if there was any erosion into the wetlands and what the sediment and erosion controls were in the southern area where work was started and then covered with topsoil and seeded. S. Alford stated that there was no erosion into the wetlands, and that there is a woodchip berm as well as silt fencing along the wetlands. Commissioner Towers expressed concern with wind erosion as this soil is mostly sand. S. Alford stated that they would be willing to have a water truck on-site while work was being conducted or to stop work when there are high winds.

Commissioner Fraysier asked about inspections of the site leading up to this deviation from the approved permit. S. Alford stated that frequent inspections could be done to ensure compliance moving forward. Commissioner Fraysier expressed concern with making sure the contractor is aware of the violation that has occurred and that additional oversight is needed. W.A. Thompson stated that she can conduct site visits as necessary and proposed reports of the more frequent inspections be submitted to herself and the Commission.

Commissioner Elder made a **motion to approve modifications to application 21-230: 777, 903, & 1001 Day Hill Rd, Alford Assoc. – Fill Removal Operation**, with the following conditions:

- Standard conditions;
- conduct frequent inspections and report to the Wetland Agent to ensure compliance and;
- address all comments from the Engineering Department.

Commissioner Fraysier seconded the motion. Vote 7-0-0

- Permit Modification Request: Application 20-116: 777, 903, & 1001 Day Hill Rd, Day Hill Dome Inc. – Athletic Fields and Stormwater Basins

Skip Alford addressed the Commission as the representative for this application. Also present was Vincent DeCarlo, part of the applicant party. S. Alford explained the proposed modifications to the site and how this would impact the conditions within the upland review area. The previously approved, grassed softball field will be replaced with an artificial turf soccer field, and the artificial turf soccer field to the north is rotated. S. Alford stated that there aren't any significant differences in regard to drainage with the proposed changes. S. Alford added that with the change to artificial turf, there will be no need to water or mow these fields, or add herbicides and pesticides as would be applied with a grassed field.

Commissioner Elder noted that additional excavation will be necessary to construct the artificial turf and trenches of which may require stockpiling of material which will need proper sediment and erosion controls. S. Alford stated that any excavated material is most likely going to be removed off-site immediately.

Commissioner Elkins asked what kind of chemicals are expected to leach from the recycled rubber and if they could eventually drain into wetlands. S. Alford stated that these fields have been constructed for the last 30 years, some people have had similar concerns and no chemicals have been found to leach into the ground. Vincent DeCarlo stated that the turf stays in place, they are using a 50/50 sand and rubber mixture to make the grass stand upright but this will stay within the field. V. DeCarlo added that there are no chemicals that enter the ground. W.A. rephrased Commissioner Elkins' question, asking if when the rainfall reaches the recycled rubber, are any byproducts or contaminants then released. V. DeCarlo stated that the 50/50 mixture actually acts as a filter and stays in place releasing clean water from any rainfall runoff.

Chairman Morando asked what type of maintenance is required for artificial fields. V. DeCarlo said there is no maintenance needed.

V. DeCarlo noted that an artificial field was already approved in the initial application.

Commissioner Fraysier asked if the heat island effect from artificial turf had the potential to have any impact. S. Alford and V. DeCarlo stated that they did not foresee this having any impact on the wetlands.

Commissioner Adamson noted that the turf material would eventually need to be replaced, and asked if the replacement would require a new application. W.A. Thompson stated that this would depend on the means and methods of replacement, and if this met the definition of a significant or regulated activity.

Commissioner Fraysier asked for detail on the stormwater basins. S. Alford explained the details of the basins and how they are designed for specific storms as required.

Commissioner Elder made a **motion to approve modifications to application 20-116: 777, 903, & 1001 Day Hill Rd, Day Hill Dome Inc. – Athletic Fields and Stormwater Basins** with the following conditions:

- Standard conditions;
- protect any stockpiling with proper sediment and erosion controls and;
- address all comments from the Engineering Department which shall not result in any significant changes to the proposed conditions.

Commissioner Cote seconded the motion. Vote 7-0-0

IV. AGENT ACTION

Wetland Agent Thompson reviewed the following applications:

- AA23-147: 66 Winthrop Rd, Wayne Boyko – 14’ x 24’ Garage

V. AGENT REPORTS

- Violations:
 - 116 Alcott Drive

Kevin Gayle, addressed the Commission as the property owner of 116 Alcott Drive explained the clearing of trees, and stump grinding that was conducted on the property. W.A. Thompson noted that this was within areas currently defined as wetlands. K. Gayle stated that he did not believe the wetlands extended beyond the swale along the rear property line. W.A. Thompson explained to that this determination must be made by a certified soil scientist.

The Commission explained the regulations to the homeowner and instructed them to hire a soil scientists to delineate any wetlands on the property.

- 848 Marshall Phelps

W.A. Thompson explained the details of this violation which include regrading without a permit or any sediment and erosion controls, and power-washing of equipment in exposed soil adjacent to wetlands. Work was stopped upon observation of these site conditions. W. A. Thompson explained that further staff investigation is needed and they will be updated accordingly.

VI. PETITIONS FROM COMMISSIONERS

VII. ADJOURNMENT

Commissioner Elkins made a motion to adjourn at 9:17pm. Commissioner Towers seconded the motion. Vote 7-0-0

I certify that these minutes were approved on

Marlene Towers, Secretary
Inland Wetlands and Watercourses Commission