

REGULAR MEETING MINUTES
WINDSOR INLAND WETLANDS & WATERCOURSES COMMISSION
WEDNESDAY SEPTEMBER 6, 2023 7:00PM
HYBRID MEETING – COUNCIL CHAMBERS AND ONLINE
Online webinar: <https://us02web.zoom.us/j/85435818689>

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

1. ROLL CALL

Chairman Morando, Secretary Towers, and Commissioners K. Elder, C. Elkins and Alternate Commissioners J. Adamson and M. Cote

Also present was Wetland Agent, Chloe Thompson

2. PUBLIC COMMUNICATIONS (3-minute limit on items other than Public Hearings) – None

3. BUSINESS MEETING

- **MINUTES**

Commissioner Elkins made a **motion to approve the minutes as amended for September 6th**. Commissioner Towers seconded the motion. **Vote 5-0-0**

- **MEETING SCHEDULE**

Commissioner Towers made a **motion to approve the 2024 Meeting Schedule as amended**. Commissioner Elkins seconded the motion. **Vote 5-0-0**

- **NEW BUSINESS**

- Application 23-179: 610 Pigeon Hill Rd., Alford Associates Inc. – Self Storage Building Construction

W.A. Thompson stated that she has reviewed the application and has a few comments that have been shared with Chris Alford. The conservation easement on the property states that if any impact to the easement area is to occur, a public hearing must be held to consider the application. W.A. Thompson suggested that special attention be given to potential impact around the level spreader, as it is directly adjacent to the conservation easement. The boundaries of this easement must be flagged in the field prior to construction or a site visit. The site plans did not appear to have sediment and erosion controls. W. A. Thompson added that the wetland delineation and report was created in 2002, and field indicators of wetland soils have since been modified or otherwise updated. W.A. Thompson stated that this report should either be updated or at least field verified to ensure it reflects existing conditions given its age and updated publishing on “Field

Indicators of Wetland Soils”. There were also mislabeled boundaries on the submitted site plans for wetlands and the conservation easement.

Chris Alford from Alford Associates addressed the commission as the representative for this application. C. Alford explained the details of the application, which involves the construction of a single story storage building that is currently a parking lot for large recreational vehicles and trailers. C. Alford addressed W.A. Thompson’s comment about missing sediment and erosion controls, and pointed out that they are labeled “GSF”, geotextile silt fence, which is just inside the current chain link fence on the property. Catch basins would also have silt sacks installed prior to construction. The boundaries of the easement will be marked prior to construction. C. Alford stated that he does not believe a re-delineation of the wetlands is necessary because they have not changed, and the project will occur in a previously disturbed, established parking lot.

Chairman Morando asked how the foundation will be constructed, and how deep the ground will be excavated. C. Alford stated that the current elevation is sloped with a four foot difference, which will cause the north end of the building to be partially underground and the south end of the building to be one foot above ground elevation.

Chairman Morando asked C. Alford to confirm that there will be no sewer coming from the building, no fountains for washing, so the only water coming from the building will be from runoff. C. Alford affirmed this.

W.A. Thompson noted that the elevations on the current plans contradict the elevations noted on the site plan from 2003 by about four to five feet. C. Alford stated that the elevations on the current plans were surveyed and reflect the current existing conditions.

Commissioner Towers asked what will be stored in this building. C. Alford stated that this building will store materials similar to that of the existing storage buildings on the property.

Commissioner Elkins asked if each unit will have its own door.

Commissioner Fraysier asked if the wetland functions and values were recorded, as they were not included in the application materials. C. Alford stated whatever they are, they aren’t going to change and there won’t be any impact to the wetland areas. W.A. Thompson clarified her previous comment about the age of the delineation, stating that the number of publications regarding field indicators since 2002 might be cause for either a re-survey or an in-field verification of the previous delineation to ensure it reflects existing conditions. C. Alford stated that the majority of the proposed work is to occur in the existing parking area, and does not believe this is necessary. Commissioner Fraysier stated that he believes it would be helpful to have the functions and values detailed, and to at the very least confirm the delineation reflects existing conditions; roof leader outlets are very close to the wetland boundary.

Commissioner Fraysier asked if there were any vernal pools on the property. C. Alford said that he does not believe there are any in this area. Commissioner Fraysier asked if there were any vernal pools adjacent to the north, close to where the building will be. C. Alford said he doesn’t believe there are any, but the soils are very sandy and the water table is very level.

Commissioner Towers stated that she drove by the area, and noted that is it all densely vegetated and asked if there will be silt fencing inside the fenced area where it is not as vegetated. C. Alford confirmed this. Commissioner Towers stated that the areas adjacent to the conservation easement and the wetlands should have double silt fencing with hay bales.

Commissioner Adamson asked if the bio-filter requires maintenance for cleaning leaves or debris. C. Alford explained the construction of the bio-filter, which would have grass over the surface.

Commissioner Fraysier asked how construction access will be made. C. Alford stated that it will be through the main access road to the property and fenced off from the remainder of the site.

Commissioner Fraysier asked if the emergency access drive must be maintained for site plan approval. C. Alford said “Yes”, and it is currently overgrown which will need to be cleared and maintained. Commissioner Elkins asked if clearing is the only activity needed to make the road accessible. C. Alford confirmed this, stating that there should be a gravel road in place.

Commissioner Fraysier and Commissioner Elkins noted that this road goes through wetland areas and crosses a stream. C. Alford said that it does not go through wetlands, and there are two pipes under the road to allow for water movement. C. Alford stated that he hasn't inspected the area recently, but believes it only requires clearing of vegetation. Commissioner Fraysier asked if the conservation easement extends to this area along the emergency access road. C. Alford pointed to the plans showing a flowage easement and a conservation easement with the same boundaries, as well as an easement to allow for the construction of a berm to prevent overflow of water from the wetlands. Commissioner Fraysier asked if that was part of a previous approval. C. Alford confirmed this, stating the berm was constructed 20+ years ago.

Commissioner Fraysier asked where the bathrooms were on site. C. Alford stated that the bathrooms are located in the main office building on site.

Chairman Morando asked what the hours of operation were. C. Alford stated that it is closed on Wednesdays, but it is not a 24-hour facility.

Commissioner Fraysier asked if it was feasible for the wetlands to be reevaluated and to have a survey for potential wetlands on this property and the neighboring property to the north. C. Alford said they can survey this property, but cannot go onto neighboring properties. C. Alford added that based on imagery, he does not believe there are any wetland areas to the north.

Commissioner Fraysier stated that if there are vernal pools within the vicinity of the project that are not on the plans, the Commission wouldn't be able to approve the application. C. Alford stated that the area is already being used to store large recreational vehicles and boats. W.A. Thompson added that on the property directly to the north, there is a gravel or paved road running right up against the property line. C. Alford stated that based on the soil survey, there are sandy soils suggesting that there would be no ponding of water, but cannot go on the neighboring property to survey for wetlands or vernal pools.

Commissioner Fraysier stated that the wetlands on the property should still be re-evaluated or re-delineated within the areas of the proposed work before the next meeting. Commissioner Towers noted that this delineation was conducted 21 years ago and agreed with Commissioner Fraysier. Commissioner Elkins stated that they should also know what work is required for the emergency access road. Commissioner Fraysier stated that if the road has to be improved, a re-delineation would save time in regard to IWWC approval. W.A. Thompson asked if gravel was to be deposited on the road. C. Alford stated that he hasn't evaluated the condition of the road, he believes only clearing of vegetation will be required and that he just met with the Fire Marshal for the first time today. Commissioner Fraysier asked if this information could be provided by the next meeting. C. Alford said that this can be prepared for November.

Commissioner Fraysier made a **motion to accept application 23-179: 610 Pigeon Hill Rd., Alford Associates Inc. – Self Storage Building Construction** and requested the following:

1. **Re-delineation of wetlands adjacent to the project area;**
2. **Evaluation and description of the wetland functions and values;**
3. **Proper depiction of the work needed for the emergency access road.** Commissioner Adamson seconded the motion. **Vote 5-0-0**

4. HEARINGS

- Violation 23-115: 4 Walters Way, Thomas DeFranzo – Cease & Desist Order

W.A. Thompson stated that T. DeFranzo has not submitted any additional material and has not yet had the wetlands delineated, therefore the item will be continued to the November meeting.

5. AGENT ACTION

Wetland Agent Thompson reviewed the following applications:

- AA23-174: 45 Trent Dr. – 12' x 24' Shed
- AA23-175: 939 Palisado Ave – 13' x 36' Garage Addition
- AA23-176: 47 Old Village Cir – 23' x 23' Porch Addition
- AA23-177: 39 Long Hill Rd – 18' x 36' In-ground Pool
- AA23-178: 4 Batchelder Rd – Security Gates

6. AGENT REPORTS

W.A. Thompson informed the Commission of a Notice of Violation issued to 848 Marshall Phelps Road – Butler Construction Co. in regard to their parking lot expansion and lack of maintenance on their catch basins. W.A. Thompson explained that she called DEEP's Oil Spill Emergency Hotline because of complaints made about the dumping of hazardous material into the wetlands. A site visit with DEEP's Officer did not result in the finding of material, but this is something that will be monitored.

W.A. Thompson explained the current status of the IWWC violations at 33 Meadow Road where there were tractor trailers, at goat farm and filling wetlands and floodplain. Tractor trailers and four truckloads of material has been removed from the site, with a few piles of remaining material and debris to be removed.

W.A. Thompson stated that a warning notice was issued to three property owners on the corner of Apple Tree Lane and Poquonock Avenue after a complaint was submitted regarding debris, cut tree limbs, and construction material degrading the slope of a brook downstream of the properties. Commissioner Towers stated that she believes she saw a shed on one of the properties that was dilapidated which may be where the debris is coming from. W.A. Stated that she's heard back from two of the three properties, and will proceed with enforcement orders if more debris is found to have been deposited into the brook.

7. PETITIONS FROM COMMISSIONERS

Commissioner Elkins asked what the status was on the violations occurring on 398 Palisado Avenue, where there was a fence and a structure constructed in the wetlands and floodplain. W.A. Thompson stated that she reached out to the property owners, and they are in the process of preparing material for the Commission. Commissioner Elkins asked how long they have until they must produce material. W.A. Thompson stated that a deadline was not established. Chairman Morando suggested reaching out to the property owner again to remind them that they must submit material to the IWWC. Commissioner Adamson stated that it appears to be some type of camp for kids. W.A. Thompson stated that it is apparently some type of education project for kids. W.A. Thompson stated that she will speak with the other departments involved with this activity as well to discuss the next steps.

8. ADJOURNMENT

Commissioner Towers made a motion to adjourn at 8:19 p.m. Commissioner Elkins seconded the motion. Vote 5-0-0

I certify that these minutes were approved on

Marlene Towers, Secretary
Inland Wetlands and Watercourses Commission