

**SPECIAL MEETING MINUTES**  
**WINDSOR INLAND WETLANDS & WATERCOURSES COMMISSION**  
**WEDNESDAY NOVEMBER 8TH, 2023 7:00PM**  
**HYBRID MEETING – COUNCIL CHAMBERS AND ONLINE**  
Online webinar: <https://us02web.zoom.us/j/85435818689>

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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, R. Williams, S. Fraysier and D. DeCarlo.

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 Towers made a **motion to approve the minutes for October 3<sup>rd</sup>**. Commissioner Elkins seconded the motion. **Vote 7-0-0**

- **OLD BUSINESS**

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

W.A. Thompson stated that the wetlands had been resurveyed and evaluated, resulting in a change in the wetland boundary and reconfiguration of the bio-filter.

Christian Alford, P.E. of Alford Associates, addressed the Commission representing the application. George Logan, Senior Soil Scientist from REMA, was also present. C. Alford stated that since the previous meeting, the wetlands had been re-delineated near the bio-filter, the wetlands were evaluated for their functions and values, and the emergency access road was evaluated for necessary improvements. C. Alford explained that the re-delineated wetlands showed a boundary closer to the bio-filter than the previous delineation, so it has been reconfigured to avoid impacts. C. Alford stated that after evaluating the emergency access drive, the only improvements necessary will be clearing of overhanging brush and vegetation. G. Logan stated that most of the vegetation consists of invasive species.

G. Logan explained the general details of the wetlands on the property, which includes a seasonally flooded area. The wetlands are fairly high functioning and not surrounded by other wetlands in the area. G. Logan stated that this application is proposing to construct a building on

land that is already disturbed, and the water quality may actually improve as the current parking lot drains through sheet flow and stores recreation vehicles.

Commissioner Fraysier asked for additional detail on the emergency access drive. C. Alford stated that the gravel is still intact, it is just overgrown and in need of clearing; no material will be deposited. Imagery from 2016 shows that the road is still present, and the contours haven't changed.

Commissioner Fraysier stated that at the last meeting there was a discussion about a potential condition to stake the boundaries of the conservation easement. C. Alford stated that the wetland flags are currently placed, and the easement has been partially marked, but will be marked before construction.

Commissioner Towers asked if there could be double silt fencing instead of one fence for sediment and erosion controls. C. Alford stated that he can add a double row of silt fencing.

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

- Standard conditions;
- Double silt fencing or S&E controls and;
- Staking of Conservation Easement Boundaries.

Commissioner Towers seconded the motion. **Vote 7-0-0**

- **NEW BUSINESS**

- Permit Modification M21-272: 2000 & 2001 Day Hill Rd. (500 Groton Road), Great Pond Improvement District – Subdivision and Infrastructure Plan (Phase 2)

W.A. Thompson explained that this permit modification is to address a wetland violation from 2022, and to add additional erosion controls (riprap) around the footings of a bridge crossing. The wetland violation involved the filling of a stream to allow for vehicle passage while removing trees, the fill has since been removed, and this proposal is to add plantings as part of the restoration.

Greg Vaslet from Winstanley addressed the Commission representing the application. G. Vaslet stated that there is a need for additional riprap around the headwall from Day Hill Road to the bridge as well as the bridge abutments. Wetland plantings will also be added to this area.

Commissioner Fraysier asked if there were steep slopes in this area or if there was another reason why riprap was chosen. G. Vaslet stated that the slopes were about 45-50% and this was chosen to prevent any erosion.

Commissioner Elder asked if there was a detail sheet showing how the riprap was going to be installed. G. Vaslet said they are going to use the existing plan detail and will be placing geotextile filter fabric under the riprap.

Commissioner Fraysier asked where the stream was filled on the plans. G. Vaslet stated that it was approximately 30 feet north of the bridge.

Commissioner Fraysier asked what the additional impact was to the wetlands. G. Vaslet stated that there is no additional impact.

Commissioner Elder made a **motion to approve Permit Modification M21-272: 2000 & 2001 Day Hill Rd. (500 Groton Road), Great Pond Improvement District – Subdivision and Infrastructure Plan (Phase 2)**, with the standard conditions. Commissioner Elkins seconded the motion. **Vote 7-0-0**

- Application 23-182: 500 Huckleberry Road, Town of Windsor – Landfill Wetland Restoration

W.A. Thompson stated that she has been working with Mark Goossens, Town of Windsor’s Landfill Manager and Fuss & O’Neill on this project, weighing in on the logistics of this project.

Dan Jahne, Hydrogeologist and Lynn Rae, Project Manager from Fuss and O’Neill addressed the Commission representing this application. D. Jahne explained the background details of the application, which is a project that has been ongoing for the past ~20 years (2006). D. Jahne explained that this proposal has three key points: it has the lowest impact alternative, the iron-oxide discoloration in the waterway is being addressed, and this will overall improve aesthetic quality, water quality treatment and ecological value and function of the wetland.

L. Rae presented the existing conditions of the site, noting the locations of the seep and invasive Phragmites population. The seepage area restoration will include an armoring to control erosion and to address the iron-oxide precipitate with three feet of deposited topsoil, seeding and limestone. The Phragmites population will be treated, with a wetland area of ~3.3 acres. The limestone will address the iron-oxide while the other fill will restore and protect the area from previous and future erosion. L. Rae stated that a three year success period will be established for a mechanical and chemical treatment of the Phragmites population occurring in the early spring and winter. The “marsh master” will mow the Phragmites which is designed for low impact and will not significantly compress the soil. L. Rae explained that they are also following protocol for NDDB listed species.

Chairman Morando asked if the limestone will have to be replaced in the future. D. Jahne stated that this is a mitigation which will not eliminate the issue, and the real solution to this will be the capping of the landfill. Chairman Morando stated that he has similar concerns for repeat efforts in regard to the Phragmites population. L. Rae added that this will be assessed and monitored for success which will be reported on and shared annually.

W.A. Thompson stated that the previous application included a public hearing, and there was a significant community interest in this project in 2021 and 2022.

Commissioner Elder made a **motion to accept application 23-182: 500 Huckleberry Road, Town of Windsor – Landfill Wetland Restoration**, and schedule a public hearing for December 3<sup>rd</sup>. Commissioner Towers seconded the motion. **Vote 7-0-0**

- Application 23-183: 55 Baker Hollow Road, Alford Associates Inc. – Two Distribution Warehouses

Christian Alford, P.E. of Alford Associates, addressed the Commission as the representative for the application. George Logan, Senior Soil Scientist from REMA, was also present. C. Alford

explained the existing conditions and details of the application, which included two proposed warehouses and associated infrastructure. C. Alford explained that this parcel will be created from portions of three different existing parcels: 141 Old Poquonock Ave, 1001 Day Hill Road, and 903 Day Hill Road. C. Alford stated that the proposed wet basins will drain into an existing pipe that discharges into a stream and wetlands to the west of the development. G. Logan explained the details of the wetlands and watercourses on the property, and how this development will impact these areas.

Commissioner Fraysier noted that different portions of the wetlands have been delineated three times between 2004 and 2023, and asked for additional detail on the potential vernal pool to the west of the proposed discharge point. G. Logan stated that he previously described this area as a “potential vernal pool” as it had certain characteristics of such but determined it did not meet the criteria. G. Logan added that this appeared to be a man-made basin. Commissioner Fraysier asked if any of these on-site observations were recorded in the spring, as all of the reports were dated in the fall. G. Logan stated that even in the fall, there are indicators of vernal pools that were not observed. Commissioner Fraysier asked if there was any potential for impact upon this area from this development. G. Logan stated that he did not believe so, and there is also development on the adjacent property to the west for “Fast Pitch Nation”.

Commissioner Fraysier asked what the plans were for the undeveloped land to the north of this property. C. Alford stated that there is a plan for a hotel on a portion of it, but there are no finalized plans for the remainder. Commissioner Fraysier stated that any information on how this land is going to be developed in the future will help with the consideration of stormwater management proposed in this application. Several applications to the IWWC in this area have been submitted without a master plan, and future development could impact the proposed stormwater management system. C. Alford stated that the plans for the hotel have separate stormwater basins.

Commissioner Towers asked if the wetland disturbance at the discharge point in the stream is necessary, or if there was a way to avoid this. C. Alford stated that there is a slope going into the wetlands directly south of the buildings that could have been used at a discharge point, but the stream is already established, therefore there is less potential for erosion.

Commissioner Towers asked if the existing woodchip berm has been established with any vegetation or if the woodchips will need to be replaced. C. Alford stated that the berm filters runoff and appears to be working. G. Logan stated that this method of woodchip berms filter out fine particles and are very effective. C. Alford added that this site is very sandy, and most of the water infiltrates anyway.

Commissioner Elder made a **motion to accept application 23-183: 55 Baker Hollow Road, Alford Associates Inc. – Two Distribution Warehouses**. Commissioner Elkins seconded the motion. **Vote 7-0-0**

- Application 23-184: 77 Lincoln Way, Donville Riley – Two Single Family Houses and Septic Systems

TJ Barresi, P.E. of Barresi Associates addressed the Commission representing the application. George Logan, Senior Soil Scientist from REMA, was also present. T. Barresi explained the details of the application, which included two single family homes (flag lots), associated infrastructure, and a proposed conservation easement. T. Barresi noted that the supplemental plans differ from the submitted plans only to include proposed accessory structures on the western boundaries of the proposed lots. T. Barresi stated that the Health Department has approved the locations of the wells and septic systems. T. Barresi stated there are no proposed impacts to wetlands or watercourses, and where development is close to the regulatory boundaries, the plans show double sediment and erosion controls which will be silt fencing and hay bales. The house to the north will also be built on slabs and not have a basement.

Commissioner Towers asked if there was an existing driveway. T. Barresi said there is not, but a permit to construct such was previously permitted in 2020.

Commissioner Towers asked if the neighbors will be notified of this development. T. Barresi stated that the neighbors will receive a notice from Planning & Zoning for the subdivision of the two flag lots as part of a "Special Use" permit. T. Barresi stated a previous application to change this lot to an agricultural zone was denied by Planning & Zoning, as residential was a more appropriate use.

Commissioner DeCarlo asked if the property owners were to be educated about the conservation easement, to ensure this area is not impacted. W.A. Thompson stated that by establishing the easement, this will be recorded on the land records and will carry with the land, which ensures any owner of the property will be notified of such as the property is bought or sold.

Commissioner Fraysier asked for clarification on when the different delineations of the wetlands were conducted. T. Barresi stated that the wetlands adjacent to the proposed driveway (~100 feet from the southwestern property line of 75 Lincoln Way) were surveyed a few years ago which was consistent with the original wetland delineation in early 2000's.

Commissioner Fraysier asked if there was any concern with having the well for the southern property so close to the wetland; if there was any potential to deprive the wetlands of available water. T. Barresi stated that he doesn't believe this will negatively impact the wetlands, and there is a 75 foot minimum buffer requirement from the septic system which suggests this distance will also not impact wetlands. Commissioner Fraysier noted that the southern property has a well radius extending into wetlands and asked if this was a concern. T. Barresi stated that he is not concerned and it is common for wells to be adjacent to wetlands. Commissioner Fraysier asked how deep the well will have to be. T. Barresi stated that this depth will be determined when drilling begins. T. Barresi stated that the well can be moved to the west if necessary. Commissioner Fraysier noted the stream within the wetlands, which likely feeds the wetlands and is not concerned with the location of the well.

Commissioner Fraysier commented on the site plan notes, and recommended they be reviewed for applicability. T. Barresi stated that a lot of the notes are general notes for all construction and are to be used as applicable.

W.A. Thompson noted that a portion of the wetlands were delineated in 2020, with the majority of the wetlands delineated in 2002. W.A. Thompson stated that this should be clearly represented on the plans. W. A. Thompson asked if there were missing contours adjacent to the isolated wetland on the southern portion of the site or if this was level ground. T. Barresi stated

that the contour lines were not surveyed in this area but the elevation drops from about 95 feet to about 86 feet in this area.

Commissioner Fraysier asked if the wetland boundary could be confirmed in the areas where it wasn't recently surveyed past the driveway and around the isolated wetland. T. Barresi said this will be completed. Commissioner Fraysier asked about the quality of the wetlands, at least by the recently delineated wetlands by the driveway. G. Logan described the wetland functions and values from his recent report. G. Logan stated that given the topography of the site, he is confident the previous delineation reflects the existing conditions. Commissioner Elder stated that the topography suggests the wetland boundary is clearly defined.

Commissioner Elder made a **motion to accept application 23-184: 77 Lincoln Way, Donville Riley – Two Single Family Houses and Septic Systems**. Commissioner Towers seconded the motion. **Vote 7-0-0**

#### 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, which was requested at the September meeting, therefore the item will be continued to the December meeting.

- Violation 23-122: 364 Addison Road, Mark Scott – Cease & Desist Order

W.A. Thompson notified the Commission of the Cease and Desist Order issued to the property owners and/or managers of this property and explained the reason for such. W.A. Thompson stated that the receiving party is not present, and this item will have to be discussed at the next meeting.

#### 5. Agent Action

Wetland Agent Thompson reviewed the following agent approved applications:

- AA23-180: 1340 Palisado Ave – Solar Array
- AA23-181: 690 Palisado Ave – Single Family House Construction

#### 6. Agent Reports

- Violations
  - Butler Construction Co.

W.A. Thompson stated that Butler Construction Co. has not yet responded to the issued Notice of Violation or the citation issued which has been accruing daily fines of \$750 since October 10<sup>th</sup>.

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- 33 Meadow Road – Closed

W.A. Thompson explained that this violation has been fully addressed, with the exception of a truck observed on the property earlier that day. W.A. Thompson will be contacting the property owner to discuss this.

- 227 Matianuck Ave

W.A. Thompson detailed the existing conditions of this property, which includes a significant dumping of material and inorganic waste within and directly adjacent to wetlands and potential vernal pools. Together with the Health Department and the Police Department, a phased remediation plan is being drafted.

- Voting for Elected Officers

Chairman Morando informed the Commission of the need for elected officers and encouraged Commissioners to consider pursuing vacant positions.

7. Petitions From Commissioners

8. Adjournment

**Commissioner Elkins made a motion to adjourn at 9:24 p.m. Commissioner Towers seconded the motion. Vote 7-0-0**

I certify that these minutes were approved on

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Marlene Towers, Secretary

Inland Wetlands and Watercourses Commission