

**TOWN OF SOUTH WINDSOR  
INLAND WETLANDS/CONSERVATION COMMISSION**

**Minutes**

**- 1 -**

**October 21, 2015**

**MEMBERS PRESENT:** Elizabeth Warren, John Blondin, Audrey Delnicki, Arthur Jennings

**ALTERNATES PRESENT:** Jack Phillips sitting for Barbara Kelly

**STAFF PRESENT:** Jeffrey Folger, Sr Environmental Planner/Conservation Officer  
Donna Thompson, Recording Secretary

**THE FOLLOWING ARE MOTIONS MADE DURING THE SPECIAL MEETING OF THE INLAND WETLANDS AGENCY/ CONSERVATION COMMISSION – MADDEN ROOM**

Chairperson Warren called the meeting to order at 7:00 pm

**PUBLIC PARTICIPATION:** none

**PERMIT EXTENSIONS:** none

**CORRESPONDENCE AND REPORTS:** none

**OTHER BUSINESS:** Reviewed minimal impact approval for Application#15-54W, Schneider, 724 Pleasant Valley Rd. Inland Wetland/Conservation Commission minimal impact application for construction of an In-Law apartment within the upland review area of an associated wetland. Rural Residential (RR) Zone

**BONDS:** none

**MINUTES:** 10/7/2015, approved by consensus.

**WETLAND OFFICER:** Folger stated that the mosquito count from the DEEP station placed on Burgess Road showed 3,000 last August. This year the count was 128. There was much less rain this year.

In answer to Commissioner Delnicki's question about the violation at 90 Oakland Road, Folger stated that when he spoke to the property owner, erosion and sediment control measures were put into effect immediately. The property owner had been unaware of what the tenant was doing.

**CONSERVATION COMMISSION:** Folger advised the Commission that a scout project to do release cuts at Donnelly has been proposed. The remaining healthy apple trees will then begin to bear fruit again once they are able to receive more adequate light.

Chair Warren informed the Commission that the Town Council unanimously approved the Deming Street Community Gardens and Folger stated that a grant has come from Farmington Bank to help with the construction of the elevated beds.

**PUBLIC HEARING:** none

**NEW BUSINESS:**

Appl. #15-52W – County Distributors – 1510 John Fitch Blvd. – IWA/Conservation Commission application for the installation of new storm drainage pipes. The site is located easterly of John Fitch Blvd. Industrial (I) Zone.

**TOWN OF SOUTH WINDSOR  
INLAND WETLANDS/CONSERVATION COMMISSION**

**Minutes**

- 2 -

**October 21, 2015**

Timothy Coon from JR Russo represented the applicant. Mr. Coon stated that the WPCA had done a smoke test that showed three catch basins were connected to the sanitary sewer. The proposed plan is to separate the stormwater from the sanitary sewer by cutting the sewer pipes at the basins and divert the sanitary sewer around these structures. New storm drainage piping would then be installed independently of the sanitary sewer and discharge into an existing drainage ditch in the northwest corner of the property. Mr. Coon referenced the wetland delineation report by John Ianni of Highland Soils regarding the small man made wetland associated with the drainage ditch. The hydrology of this small wetland area is supported by runoff from RT5 and parking lots on each side of the property. The primary functions of this wetland are conveyance of stormwater and sediment trapping. The ditch discharges through a pipe to the existing drainage system in RT5. The vegetation in the ditch is mainly invasive species. The new pipe will be brought over to the edge of the drainage ditch and a rip rap outfall will be created to carry the runoff down to the bottom of the ditch. The runoff going into the catch basins will be treated prior to discharge by a hydrodynamic separator. The sand currently found in the drainage ditch was not removed by the State of CT when they replaced rip rap in the right of way portion. Mr. Coon stated that the applicant would be willing to remove that sediment.

**Motion to:** approve Appl. #15-52W, County Distributors, with the following conditions:

1. The final approved copy of the entire set of plans and this letter reproduced thereon must be submitted to the Planning Department. This must be completed within 65 days of approval prior to any construction activity on the site. Plans submitted to Planning & Zoning Commission shall be considered having met this requirement.
2. The applicant shall indemnify and hold harmless the Town of South Windsor against any liability, which might result from the proposed operation or use.
3. The permit is valid for five years and shall expire on October 21, 2020. It is the landowner(s)/applicant(s) responsibility to track expiration dates and notify the Commission of a renewal request at least 65 days prior to expiration.
4. A bond shall be collected in the amount of \$2,000 to ensure proper placement and maintenance of erosion and sediment controls.
5. An operation and maintenance schedule for the hydrodynamic separator shall be shown on the plans.
6. All approvals required must be obtained and submitted prior to any activity on the site.
7. A contact person shall be identified on the plans.

Was made by: Commissioner Phillips

Seconded by: Commissioner Blondin

The motion: carried

Vote: unanimous

**OLD BUSINESS:**

Appl. #15-38W – CIL Realty Inc. – 30 West Rd – IWA/Conservation Commission application for a residential dwelling on an existing sub-division lot. The site is located easterly of West Rd and northerly of Strong Rd. Rural Residential (RR) Zone.

Petitioner, Thomas Lovett, introduced Sigrid Gadwa as his representative during the intervenor process. Ms. Gadwa distributed her report to the Commission at this meeting. Upon reviewing this report, Ms. Gadwa stated that the area consisted of good quality wetlands and very few invasive species in the areas she looked at. Ms. Gadwa did not do water quality testing for this report but found the presence of leatherleaf, which is an indicator the groundwater is very clean. A major concern is the amount of tree clearing proposed to accommodate parking and stormwater treatment. Ms. Gadwa felt that the stormwater treatment plan could be scaled down significantly; the soil is sandy with good topsoil and organic matter for absorption of pollutants. She suggested swales behind the parking lot and along the

**TOWN OF SOUTH WINDSOR  
INLAND WETLANDS/CONSERVATION COMMISSION**

**Minutes**

- 3 -

**October 21, 2015**

driveway, with low berms and an underground galley, if needed, would be sufficient and reduce the amount of tree loss. Ms. Gadwa also suggested a small residential house could be built instead of the proposed group home. The mature trees on the perimeter of the wetlands contribute to the function of the wetlands. Ms. Gadwa concluded that the plan as proposed does have reasonable likelihood of significant adverse effects to the wetlands due to the loss of the wooded buffer. In addition, she felt more careful site specific attention needs to be addressed. The buffers proposed are not appropriate for the high class of wetlands on the property. Ms. Gadwa feels that not enough site specific baseline information for an aggressive project such as this has been provided for the Commission to make a decision.

Commissioner Phillips questioned Ms. Gadwa about her suggested prudent and feasible alternative of a single family three bedroom residence. He asked how she determined there would be less tree clearing needed, how much less tree clearing would there be, and how much less would be necessary to avoid the reasonable chance of unreasonable harm. Ms. Gadwa responded that it would be an improvement if a wider buffer were protected by a conservation easement all around the house. A single family house would have a shorter driveway and no parking lot, which would mean less impact. Commissioner Phillips stated that the Commission is not legally allowed to force conservation easements. Applicants can offer easements but the Commission cannot make them do it.

Attorney Robert Decrescenzo, representing the applicant, requested clarification from Ms. Gadwa in regard to the effect of ground water flow from the proposed site to wetland area. Ms. Gadwa stated that the changes made to the site by the proposed plan would not affect the nutrient level of the groundwater table; not affect the mapped critical habitats. But they may affect some critical habitats as the mapped areas are not the only critical habitats in the area.

Todd Parsons from Lenard Engineering reviewed the modifications to the plans that were made since the initial presentation in September. In response to concerns of the intervener, several changes were made to the plan after consultation with Jeff Folger. The well was moved as close to the house as possible and still meet code requirements. Grading, and outfalls for the roof and footing drains were pulled closer to the house. The bioretention area was changed to a raingarden. These changes allowed a reduction in the overall disturbance in the Upland Review Area. The abutting neighborhood impervious surfaces range from 5% to 18% on the individual lots. This lot will be about 4% as proposed.

At the request of Attorney Decrescenzo, Mr. Parsons reviewed the map showing the lot boundary, the wetlands areas and the existing conservation easement. The majority of the wetlands are included in the conservation easement area. This property is the last remaining undeveloped lot from an approved subdivision. In the original application, four alternatives which met the client's goals had been presented. In the resubmission of the application, a fifth alternative was shown which entailed flipping the house and the parking area, and would allow taking more advantage of some of the property along the north. The plan being proposed is the preferred plan, striking a better balance while maintaining a perimeter buffer around the property. There is also a stormwater treatment system proposed on the property which is not typical of a residential development.

Commissioner Phillips asked Mr. Parsons' opinion regarding the footprint of the proposed house (3200 sq ft) vs the footprint of a 2500 sq ft, three bedroom ranch with a two car garage, as to whether they would be comparable in footprint size. Mr. Parsons responded that the garage would be approximately 500 sq ft, so that yes, the footprints would be basically the same.

Michael Klein from Environmental Planning Services, LLC, reviewed his letter of October 14, 2015 addressing the objections of the intervener. Mr. Klein stated that general area described by Ms. Gadwa as a large relatively undeveloped block of land 20 sq miles in size, is actually a little under 2 sq miles. The proposed addition of the house on this property will not change the ecological integrity or the hydrology of the surrounding landscape. Mr. Klein stated that the characterization of the bioretention

**TOWN OF SOUTH WINDSOR  
INLAND WETLANDS/CONSERVATION COMMISSION**

**Minutes**

- 4 -

**October 21, 2015**

basin as being inadequate because of the depth to the ground water table was improper but agrees with the intervener that a raingarden is more than adequate to treat the stormwater runoff on the site and has no objection to scaling that system back even further along the lines of what was suggested by the intervener in her report to reduce the amount of disturbance at the site. With respect to the tree clearing, it has been greatly minimized. Further minimization could be attained with the elimination of the rain garden and with the use of alternative five. In regard to the intervener's statement that there would be a huge amount of tree clearing, Attorney Decrescenzo asked what the percentage of lot will remain undisturbed – 87% was the answer. Mr. Klein stated that this percentage is much higher than on any of the adjoining properties – some are 100% cleared. Mr. Klein stated that in his opinion this plan does not have a reasonable likelihood of unreasonable polluting. Use of alternative five would have a small, insignificant change in the environmental impact compared to the proposed plan.

Ms. Gadwa suggested more restrictions regarding yard size and modifications to the conservation easement. These suggestions are not legally possible due to regulations.

Mr. Folger stated that stormwater quality is good and elimination of the raingarden will reduce the amount of tree clearing. He would like more specifics regarding Ms. Gadwa's premise that a three bedroom house would have less impact then the proposed plan. Ms. Gadwa did not provide an adequate explanation regarding her statement that her example would be less invasive than the proposed plan any of the times various individuals asked her.

Upon completion of evidence from both the applicant and the intervener, the Commission was satisfied that all necessary information to make a decision had been presented.

Acting on the intervener's petition, the following motion was made:

**Motion to:** move that this agency find based on the record before us as a whole the developer's conduct as proposed in this application is not reasonably likely to cause unreasonable pollution, impairment or destruction of the public trust in the air, water or other natural resources of the state.

Was made by: Commissioner Phillips

Seconded by: Commissioner Blondin

Commissioner Phillips felt there was very little hard fact, if any, included in the intervener's report. The intervener was questioned numerous times about the comparison between a three bedroom house vs the plan proposed by the applicant and did not provide any specific differences.

The motion: carried

Vote: unanimous

**Motion to:** approve Appl #15-38W, CIL Realty Inc, with the following conditions:

1. The final approved copy of the entire set of plans and this letter reproduced thereon must be submitted to the Planning Department. This must be completed within 65 days of approval prior to any construction activity on the site. Plans submitted to Planning & Zoning Commission shall be considered having met this requirement.
2. The applicant shall indemnify and hold harmless the Town of South Windsor against any liability, which might result from the proposed operation or use.
3. The permit is valid for five years and shall expire on October 21, 2020. It is the landowner(s)/applicant(s) responsibility to track expiration dates and notify the Commission of a renewal request at least 65 days prior to expiration.
4. A bond shall be collected in the amount of \$5,000 to ensure proper placement and maintenance of erosion and sediment control measures.

**TOWN OF SOUTH WINDSOR  
INLAND WETLANDS/CONSERVATION COMMISSION**

**Minutes**

- 5 -

**October 21, 2015**

5. The rain garden shall be eliminated and minimize tree cutting in this area.
6. All clearing shall be marked in the field before cutting.
7. Proposed plantings, or appropriate substitutions for the rain garden shall be placed along the perimeter of the cleared area once it's stable.
8. All approvals required must be obtained and submitted prior to any activity on the site.
9. A contact person shall be identified on the plans.

Was made by: Commissioner Phillips

Seconded by: Commissioner Blondin

The motion: carried

Vote: unanimous

**APPLICATIONS RECEIVED:**

**ADJOURNMENT:**

**Motion to:** adjourn at 9:21 pm

Was made by: Commissioner Delnicki

Second by: Commissioner Phillips

The motion carried and the vote was unanimous.

Respectfully submitted,

Donna Thompson

Recording Secretary

**Approved: December 16, 2015**