

WINDHAM INLAND WETLANDS & WATERCOURSES COMMISSION

Special Meeting

DATE: Thursday April 23, 2008

TIME: 7:00 P.M.

PLACE: Willimantic Police Complex, Meadow St. Willimantic, CT

MINUTES

I. Call to Order

The meeting was called to order at 7:15 P.M. Members present were Chair Susan Johnson, Joseph Marsalisi, and Joseph Wagner. Also present were Town Planner James Finger and Recorder Kathleen Wright.

Chair Johnson asked for a motion to move item II. 3 on the 'Fleming Complaint' - to item II. 1. Mr. Marsalisi made the motion as stated. Mr. Wagner seconded the motion. The vote was unanimous, in favor.

II. Old Business – DISCUSSION/POSSIBLE ACTION

1. Fleming Complaint 363, 369 & 377 Scotland Rd. –

Scheduling a site walk only for Mr. Fleming's property at 369 Scotland Rd. The site walks will take place on 2 consecutive Wednesdays, 4-30-08 and 5-7-08 at 6 PM on Mr. Fleming's property. Mr. Fleming urged the Board not to delay, in order to see the property before the foliage leaves out.

2. Willimantic Waste Paper Co., Inc. 185 Recycling Way, Willimantic - application for wetlands permit for activities in upland of Wetland + floodplain.

Mark Zessin, PE, Anchor Engineering, Glastonbury represented Willimantic Waste Paper Co. Mr. Ianni, professional soil scientist, Highland Soils, who flagged the wetlands, was also present. Mr. Zessin gave copies of the signed site plan to Commission members and said the only changes to the map are to clarify the flags, and the words "fescue" and "ryegrass" were added to the seed mix. Mr. Ianni has signed the map and indicated in a letter the dates that he was on the site. Mr. Zessin also gave out copies of a topographical map.

Mr. Ianni submitted the Functions and Values Assessment, and described the history of his flagging these wetlands. In his latest flagging, he could not find a few flags and he put new ones in, so they will not be in the exact location as the previous flagging. He said a discrepancy might be because he was trying to recreate the previous flagging. The current map shows the

flags as they are today. His letter dated 4-22-08, states he visited the site to refresh the flags on 3-11-08, and on 3-21-08 he visited the site to collect data for the Functions and Values Assessment. A letter submitted 3-24-08 indicated the main functions of the wetland are water quality renovation and flood storage. He also submitted a Wetlands Functions and Values Evaluation Form which uses the Army Corps of Engineers methodology. Mr. Ianni said basically the wetland has the functions: groundwater recharge, flood flow alteration, and water quality functions.

Chair Johnson said that our primary concerns are changes in the plans and the signatures on documents. Planner Finger enumerated the documents and signatures required and found that these have been submitted. He said that in the record Commissioner Brogie had raised concerns about the potential wetland impacts mentioned in Mr. Ianni report, and he asked what was the plan for mitigation.

Mr. Ianni said whenever there is a storm water discharge there is potential for impact. Mitigation includes Vortech and the plunge pool, and other methods Anchor Engineering has designed - the berm, the barricade, reseeded, the catch basin, rip rap and rip rap augmentation. Planner Finger asked about a way to capture debris and prevent it from blowing into the woods. Mr. DeVivo said that the building will contain the debris.

Mr. Marsalisi made a motion to approve the application. Mr. Wagner seconded the motion. The vote was unanimous, in favor.
Chair Johnson thanked Mr. Zessin et al.

3. Responses to Violation Notice - West Main St., Willimantic

Chair Johnson introduced Mr. Vertefeuille, Code Enforcement Director in charge of zone, anti-blight, and housing codes. He said he is not an enforcement officer for wetlands violations, but he notified Planner Finger of the debris when he was at Ultraviolet on another matter. Chair Johnson asked which of the property owners involved in the matter were in attendance or represented. Mr. Jim Dutton, Principle of Dutton Associates, Glastonbury, represented Mr. Denning, the owner of Ultraviolet at 1565 W. Main St. Ms. Nina Dolishny Regan of Edens & Avant, West Hartford, represented the Willimantic Plaza. Mr. Decker, who owns a retail mattress store, was not in attendance or represented, but had written a letter. Chair Johnson said she had looked at the site.

Mr. Dutton said he had walked the site with George Logan of REMA Environmental Services and he described the situation in which ponding is created by substantial dumped debris. There is a significant flooding issue. The situation is complicated by the fact that there are three adjacent pieces of property involved and no one seems to know who dumped the debris.

Mr. Dutton described his efforts and said the he and Mr. Logan and will work on a mitigation plan.

Chair Johnson said at this point in time we are in agreement that you will work together and come back with a plan. There is time because of the need to wait until the area is dry. Ms. Regan said that none of the debris comes from the property she represents and the owners do not want the entire responsibility.

Planner Finger said Mr. Decker asserted in a letter that he is not responsible for the dumping and he wants to be shown the property line. Chair Johnson said the debris is causing harm and a mitigation plan must be figured that does not disturb the wetland. Mr. Dutton said hand tools can be used. Ms. Regan said a catch basin will be cleaned soon. Chair Johnson will contact Mr. Decker.

There was a discussion of application and fees. Chair Johnson said a joint application would reduce the fee. She thanked Mr. Dutton and Ms. Regan for attending. The item will be on the agenda of the next meeting on 5-8-08. Planner Finger asserted that he sent the notice of violation out and all three did respond. They are in the process and trying to work cooperatively. If they had failed to respond, the board would hold a hearing, but that is not necessary at this time because they did respond and the work is in progress.

III. **Routine Business – DISCUSSION/POSSIBLE ACTION**

Miscellaneous – returning to the Fleming Complaint, Planner Finger said the Perkins' Attorney had sent a letter to say that a videotape had been supplied to the board. It also noted that the middle property is not in their control. They were concerned when the board would walk their property, and asked to be notified. Chair Johnson asked Planner Finger to notify Mrs. Perkins about the dates of the Fleming site walk in the hope that the site walks could take place on the same occasions.

IV. **Adjourn**

Mr. Marsalisi made a motion to adjourn, and Mr. Wagner seconded the motion. All present voted unanimously in favor to adjourn. Chair Johnson adjourned the meeting at 8:30 P.M.

Respectfully submitted,

Kathleen Wright, Clerk
April 29, 2008