

# WINDHAM INLAND WETLANDS & WATERCOURSES COMMISSION

## Minutes for Thursday, September 9th, 2010

I. Call to Order – Vice Chair Nancy Tinker called the meeting to order at 7:07 P.M. Other members present were Helmut Traichel and Joseph Wagner. Also present were Wetland Agent James Finger, and Recorder Kathleen Wright.

II. **New Business** – DISCUSSION/POSSIBLE ACTION

Application from Craig Lambert, 120 Ballamahack Rd., Windham Center for wetlands permit for construction of a 17 - 18 ft. wide driveway involving filling 425 sq. ft. of wetlands.

Mr. Ed Pelletier of Datum Engineering showed 2 maps. The first was the Rosewood Commons subdivision map approved in 2005 to give some background. At that time the wetlands were only partially delineated and identified as approximate. Mr. Pelletier pointed out lot #2 has a vernal pool near where the original house was to be located, and it has most of the lot's frontage on the north side abutting Ballamahack Rd.

A revised map of the subject property shows access next to Jennings Lane. The new plan includes construction of a driveway and culvert that would displace about 425 sq. ft. of wetlands. There are no watercourses on the property. The culvert is needed because the driveway creates a dam. The drainage area starts at Ballamback Rd. and includes four to six acres. Mr. Pelletier described the drainage on Ballamback Rd., and reported that John Ianni delineated the wetlands.

Mr. Pelletier said there is no erosion on the property and there is a very gentle 3% slope with mostly just a sheet flow. The entire lot is 7.34 acres. Mr. Pelletier described the differences between the original plan and the revised plan. The new plan increases the distances between the construction and the wetlands, except for the driveway, which will cross the wetlands. He said that he felt that the revised plan is better than the previously approved plan, and he offered to make modifications to the drainage with a curtain drain to appease the neighbors. Mrs. Sofia Andrychowsky a neighbor of the building site, and her son Mr. Joseph Andrychowski were present and expressed concern about the effect of run-off on her water quality in her 14 foot dug well; that her basement gets flooded, and that her driveway is frequently damaged with sinkholes from the run-off from the applicant's property. Mr. Pelletier said that water does flow through to her land, but it is probably a wetland that hasn't been delineated. Mr. Andrychowsky showed pictures taken 7-6-01 of water coming over the fields and stone wall near their potting shed out back. He pointed out that tests made in July of this year were conducted during a drought. He said that in the previous July 2009, the rainfall was 9.6 inches.

There was an extensive discussion of the drainage qualities of the area, the impact of building homes in the area, the topography and vegetation, and historical problems with water flow. Agent Finger asked if it would be okay to have the Board conduct a site walk to see the conditions, and wait another month to take action. Mr. Pelletier showed the map of the area, and said that the Andrychowsky's problems do not relate to the proposed house site area.

Agent Finger asked if this plan for a house lot will increase water flow. Mr. Pelletier said it will actually decrease water flow. There was a discussion of the very sandy soils in the area, the proposed leeching field, and the drainage problems on Ballamback Rd. Agent Finger asked if the curtain drains could be directly connected to the catch basin in the street. Mrs.

Andrychowsky said that the catch basin has never been cleaned. Mr. Traichel asked the Andrychowsky's if this would satisfy them if the drains are tied directly into the catch basins. Mr. Andrychowsky said it would help if they took some of the water away, and reduced the run-off onto his mother's property. Agent Finger then explained that the board could approve the plan with this as a condition. Mr. Andrychowsky asked if they could direct their water to the street. Agent Finger said he wasn't authorized to tell them that they could do that, but since their land is classified as agriculture, they could grade the land on their own property to direct the water away from their house and well. Mr. Traichel said they could contact the Soil Conservation Service in Brooklyn.

Mr. Traichel made a motion to approve the application for filling approximately 425 sq. ft. of wetlands for the new driveway, and with the condition that the applicant will install a curtain drain from the house through another portion the wetlands to direct water flow to a catch basin on Ballamback Rd. using a minimum size 4" pipe.

Mr. Wagner seconded the motion, and the vote was unanimous, in favor.

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

1. Approval of Minutes - Mr. Traichel made a motion to approve the minutes from the August 12th meeting. Mr. Wagner seconded the motion. The vote was in favor of approving the minutes, with one abstention, Ms. Tinker, because she had not been in attendance.
2. Miscellaneous - Agent Finger said Windham Hospital has submitted a proposal for a new medical building. The soil scientist said no wetlands are present. I have authority to go ahead and approve this. There were no objections.
3. Correspondence
  - Agent Finger explained that there are two applications to the Federal Energy Regulatory Commission for the Scotland Dam: one is for an application for a new license from First Light Hydropower Generating Company/Norwich Public Utilities – the latest report is dated 8-27-10, and the second from Albany Engineering Corporation, a subsidiary of CL&P, which currently owns the dam, and the latest report is dated 8-31-10. Agent Finger said this is a long process that started in 2007, and will probably take until 2012. They routinely inform us of their progress. They are before the DEP and the Federal Energy Regulatory Commission's jurisdiction, but not the Town of Windham, because it is a state river.
  - A copy of the CT Federation of Lakes Newsletter.
  - A letter to Agent Finger from The Last Green Valley asking him to send expenditures for various items such as open space by 9-17-10.
  - There will be a workshop on historic barns next Thursday at ECSU Student Center, 6 PM on 9-16-10.

V. Adjourn - Mr. Traichel made a motion to adjourn the meeting, and Mr. Wagner seconded the motion. The meeting was adjourned at 7:55 PM.

Respectfully submitted, Kathleen Wright, Recording Clerk  
September 16, 2010

Nancy Tinker, Acting Chair