

WINDHAM INLAND WETLANDS & WATERCOURSES COMMISSION

Minutes for Thursday, February 12, 2009

I. Call to Order

The meeting was called to order at 7:03 P.M by Nancy Tinker. Members present were Joseph Marsalisi, James McGill, Nancy Tinker, and Joseph Wagner. Chair Susan Johnson joined the meeting at 7:10. Also present were Town Inland Wetland Agent James Finger and Recorder Kathleen Wright.

II. New Business – DISCUSSION/POSSIBLE ACTION

1. Willimantic Waste -- 185 Recycling Way, Willimantic - This is an application for a Jurisdictional ruling on application for use of existing scrap metal yard as a motor vehicle Recycler's Yard. Inland Wetland Agent Finger said this is within his jurisdiction to approve, but Commissioner Brogie asked that it be placed on the Commission's agenda for review. Agent Finger said that the activity will be in an upland area, and that a soil scientist has looked at the site. Drainage from the site is controlled through either a Stormceptor, or Vortechincs unit nearby.

Tom de Vivo Representing Willimantic Waste submitted a letter from John Ianni – the soil scientist. He said the proposal is to fence an area 150 x 150 with a solid metal screen. Inside that area, a small building will house an enviro-rack to capture fluids. The building will have a concrete floor with no drains. All efforts will be made for best management practices. This is not on leased property. Inside this building they will drain and capture fluids, and then have an environmental service take the fluids away.

Commissioner McGill asked how many cars will be involved. Mr. DeVivo said they will handle a couple at a time. When they have about 40 processed cars they will ship them away. They will not dismantle the cars for parts. They already own flattening equipment. They need to get a license from DMV for de-titling. Vehicles must be stored inside the fenced area.

Chair Johnson thanked the de Vivo's for supplying the information. Ms. Tinker moved to delegate action on the application for use of existing scrap metal yard as a motor vehicle Recycler's Yard to Wetlands Agent Finger. Mr. Marsalisi seconded the motion and the vote was unanimously in favor.

2. Loch View LLC 322 Main St. Willimantic
Kenneth Hrica, Professional Engineer and licensed land surveyor, of 82 West St., Litchfield, represented Loch View, LLC. He showed plans and gave a recap of the activities of Loch View, LLC, which purchased the property in 12-08. He explained that this actually two applications for additional parking lots to complete Windham Mills Development - one behind main mill buildings, and a larger parking lot across the river on former Mill #4 site.

Chair Johnson asked for a review of the Commission's previous action on this matter last year. Inland Wetland Agent Finger also recapped the prior action on the property. He explained that Loch View came to the IWWC for a jurisdictional ruling on their concept plan for parking lots. It was understood at that time that Loch View would need a wetlands permit for any development of land. So they are here now for a permit to actually proceed with creation of parking spaces. The previous approval enabled them to submit their plan for a subdivision approval. The Planning Commission approved their division of land, and some easements for public access were made.

Mr. Hrica described the design process of the current plan as follows:

- Mill 4 parcel's need for an access way, requiring a split of parcel 2 into 2A and 2B
- Loch View's gift of unwanted parcels to the Town
- Reconfiguration of parking on parcel 2A to maximize use. Spaces will be created behind the building, with a one-way access. There are drainage facilities in place already.

Mr. Hrica said that this effort created 114 additional parking spaces, bringing the total to 439, still short of required parking for a full build-out of 787.

Mr. Hrica described the difference between the original concept plan and the present plan. The original concept was for an 8-acre easement, and that area was maintained, but with different edges, which enabled Loch View to stay out of the Heritage Trail easement. Pinecrest Environmental reported that there is oil and ash contamination in wooded areas. The contamination areas are shown on the maps.

Chair Johnson asked how old the oil is. Mr. Hrica did not know but he will get that information. He said that Loch View avoided placing detention areas in those contaminated areas, and that dictated parking lot layout and storm water management. The parking lot is designed to have 506 spaces. The plan is not to build the entire parking lot at the onset, but possibly in the future. He said we have adhered to parking regulations on plantings and buffers. Also included are two storm water detention basins. He said pre-development and post-development flows will be at a very acceptable level. He described the dynamics of the detention basins.

Chair Johnson asked about cleaning the basins. Mr. Hrica said their maintenance will depend on how much sanding is needed. Mr. Hrica recommends a maintenance plan that is mostly monitoring, with guidelines. There was a discussion of sanding. Chair Johnson had concerns on accumulation and overflow. Mr. Hrica said the catch basins will have sumps and they are very easy to clean. Mr. Hrica can find out about sanding from the maintenance people and report back to the IWWC.

Mr. Hrica said that they also propose to create a small temporary parking area for a new tenant that will be fenced off with a gravel surface for one hundred spaces. This will coincide exactly with spaces on the plan and this will be the first area to be

paved. There was a discussion about lighting the bridge. Chair Johnson asked about the type of material for the sediment fence. Mr. Hrica said it will be a standard geotextile. Mr. Hrica said they would like to start in late spring after the Zoning Commission and DOT approvals. They would like to at least start parcel 2A as quickly as possible.

Chair Johnson asked how Loch View will remove existing contaminated materials. Mr. Hrica said those areas will be capped; there is no plan to remove contaminated materials. Chair Johnson said that she found a note in the plans indicating that the contaminated soil would be removed. Mr. Hrica responded that this was a mistaken reference on the plans, as there is no plan to remove existing contaminated materials; he said he will remove that reference.

Chair Johnson asked if the Commission should not take receipt of the plans due to the fact that they are not complete. Inland Wetland Agent Finger urged the board to take receipt of the plans, as they can correct these errors. Mr. Hrica will bring revisions to the plan and he asked the board to receive the plans so that if we meet all the engineering comments and if we satisfy this commission's concerns, there could be a vote on this plan next month. Mr. Marsalisi made a motion to take receipt of the application. Ms. Tinker seconded the motion. The vote was unanimous, in favor.

III. Old Business-- DISCUSSION/POSSIBLE ACTION

1. Aldi's Inc, LLC -- 308 Boston Post Rd., North Windham - request for review of conditions to occupy property prior to completion of work due to weather conditions.

Tim Lucas, Aldi's Construction Manager, 295 Rye St., South Windsor, and Matt Sluter, of New England Development, 293 Borne Avenue, Rumford, RI. represented Aldi's. A site plan and a letter from their engineer was submitted. Inland Wetland Agent Finger said they would like to get a temporary Certificate of Occupancy to occupy the building before they finish the outside work. He said that top dressing the parking lot and drainage requires that plantings be in place.

Chair Johnson asked for their time frame. Mr. Sluter said Aldi's looks to open the store on April 1, 2009. They need two weeks to get prepped. He said we plan to turn the store over to Aldi's by March 16, 2009. However, due to the weather, we are not sure we can get the detention pond fully seeded. It is graded and loomed. A diversion berm will be complete when the frost is out of the ground, maybe the end of March. Mr. Lucas said plants should be established in two to three weeks. Their Engineers reviewed and approved the request. They suggested we protect the catch basins, and that all erosion control measures remain in place. A consultant will come after every rain event to inspect the site, and repairs, if they occur, will be made on the spot. The consultant will come at least once a week, even if there is no rain event.

Mr. Lucas explained that Aldi's has a \$5000 cash bond with the municipality to ensure that the vegetation is on site. Mr. Marsalisi asked if Aldi's intends to be open for customers, not just stockers. Aldi's will get approval from multiple agencies,

including the Building Department and DOT. Mr. Sluter said that they will have an inspection before the finish course is laid down.

Inland Wetland Agent Finger said his main concern is that the detention basin is ready for the runoff. Mr. Sluter described the process to complete the paving. No detergents will be used. Inland Wetland Agent Finger wanted to make sure the board understood what they propose to do and have it part of record. Inland Wetland Agent Finger explained that no bond money is returned without a written request to the Commission.

2. Windham TSC, LLC -- 476 Boston Post Rd., North Windham -- Review of reports in preparation prior to construction.
Since Commissioner Brogie was not available for the meeting to discuss this issue, Inland Wetland Agent Finger suggested that the Commission postpone any action on this matter until Mr. Brogie could review the material. He said there is no urgency for action as they are merely trying to establish baseline information as required by the permit. The first monitoring wells are in; but they encroached on Joshua's Tract's property, and that will have to be resolved.

III. Routine Business – DISCUSSION/POSSIBLE ACTION

1. Approval of Minutes -
A motion was made by Ms. Tinker to accept the September, 2009 minutes. Mr. Marsalisi seconded the motion. The vote was unanimous, in favor.
2. Miscellaneous - none
3. Correspondence -
 - CT Wildlife Magazine
 - Spectra Energy Pipeline Safety Brochure, Survey, 811 Emergency hotline
 - CT Assoc. of Wetland Scientists membership invitation and form
Chair Johnson recommended the IWWC Training series. Mr. Wagner has an interactive DVD, which he can pass along to board members. There was a discussion of the definition of a wetland.
 - CT Bar Association program

V. Adjourn

The meeting was adjourned by Chair Johnson at 8:25 PM.

Respectfully submitted,
Kathleen Wright, Recording Clerk
February 19, 2009

Susan Johnson, Chair