

# WINDHAM INLAND WETLANDS & WATERCOURSES COMMISSION

## Minutes for Thursday, April 14, 2016 Meeting

Windham Town Hall  
979 Main Street  
Willimantic, CT  
2<sup>nd</sup> floor Auditorium

- I. Call to Order** – Chair Johnson called the meeting to order at 7:02pm. Introductions. **Voting Members Present:** Joseph Marsalisi, Joseph Wagner, Susan Johnson, Helmut Traichel, and Katherine Eves [arr. 7:09pm] **Staff Present:** James Finger, Wetlands Agent; Dagmar Noll, Recording Clerk **Guests:** Mitchell Shaney; Steven Edelman; Norman Marchand; **Public Present:** Joe Andrychowski; Ron Kramer; Pauline Kramer; David Millette; Ti Stygar

## II. Old Business

### 1. Mitchell Shaney – 410-412 North Windham Road

Wetland Agent James Finger noted that the Commission took receipt of the application at the last meeting and that neighbors have been alerted to the application. Mr. Shaney described the accumulation of sediment and invasive plants in the pond, and his desire to clean up the pond. Mr. Ronald Kramer, neighbor of Mr. Shaney, noted that the pond is now twice the size of what was originally permitted by the previous owner who built the pond, and he expressed a concern that the water table rising would cause flooding in nearby basements. He submitted an aerial photo of the original pond. [K. Eves arr. 7:10pm].

The Chair asked Wetland Agent Finger where the stream is that brings the water to the pond, and where is the underlying stream if the pond were not there. Mr. Finger explained that most of the water comes from the hill on Jordan Lane and drains toward this area of homes that are all on small lots. The Pond was created by excavating within the stream channel, and it drains through a culvert under Route 203 to the other side of the road into a large wetland that the State owns. He added that the neighbor across the street told him that he hadn't noticed any increase in height in the pond. Mr. Finger said that he felt that cleaning the sediment and plants out of the pond will allow the water to flow better, which could lower the water table and alleviate problems with flooding in nearby homes and properties. After further discussion and clarification, Commissioner Joseph Wagner MOVED to grant the permit on the condition that the work be done during the dry season, and that the owner use silt fence or hay bales to control sediment from going downstream. Commissioner Helmut Traichel SECONDED the MOTION, and it PASSED unanimously.

### 2. Steven Edelman – aka Gilead Enterprises LLC for property of 40 Old Brooklyn Turnpike and 96 Back Road, Windham Center, CT

Mr. Edelman addressed the Commission describing the two properties involved, and the need to remove earthen material left by Nutmeg Gravel. He explained that Nutmeg was the operator that removed the majority of the gravel about ten years ago, but they went out of business and left him with material on the site. He explained that the property at 96 Back Road is bisected by an AT&T easement with a cable running through the middle of it. Nutmeg Gravel had excavated material on

the southerly side of the AT&T easement, and deposited excess stockpiled material on the northerly side of property near the property line. So now, he has some large piles of earth that need to be removed at 96 Back Rd., but these are out of the regulated area.

At 40 Old Brooklyn Turnpike, there are about five or six piles of material within the upland review area that need to be removed, and he said he also needs to do some slight grading to flatten out the site.

The Chair asked if there was anyone who wanted to comment on the application and Joe Andrychowski, a neighbor, spoke in support of the application. The Commission then reviewed pictures of the site showing the material to be removed.

The Chair asked Mr. Edelman if this would have any effect on the wetlands, and Mr. Edelman answered that he didn't see how it could as the entire area is a very boney gravel, and he isn't doing anything in the wetlands.

After further discussion and clarification Commissioner Kit Eves MOVED to approve the application. Commissioner Joseph Marsalisi SECONDED the MOTION, and it PASSED unanimously.

### **3. Norman and Mary A Marchand of 111 North Windham Road, Windham Center**

Mr. Marchand presented an application for conveying a portion of land to the abutting neighbors that will be combined with their existing property on Bricktop Lane for conservation purposes – not for building lots. Agent Finger explained that there is no activity proposed within the regulated areas of the wetland or upland areas. Commissioner Kit Eves MOVED to authorize the agent to grant the jurisdictional ruling for the permit. Commissioner Joseph Marsalisi SECONDED the MOTION, and it was PASSED unanimously.

### **III. Other Business**

- 1. Review of minutes from previous meeting** Joseph Marsalisi MOVED to accept the minutes from the March 10, 2016 as presented. Joseph Wagner SECONDED the MOTION, and it PASSED with K. Eves and H. Traichel abstaining as they were not at the meeting.
- 2. Correspondence - None.**
- 3. Miscellaneous -** Agent James Finger reported that he approved an application from John R. Brown Home Builder, LLC for property at 112 Jerusalem Road, Windham Center as there was no activity in the regulated area. Mr. Finger also reported that he attended a public informational meeting to hear about plans to remove trees at the Windham Airport. The majority of the tree clearing will be at the Willimantic Reservoir on the easterly and northerly sides near the two runways. The trees are in the upland area, and they affect the airport approach areas; but the CT DEEP will have authority on the permit. Mr. Finger said he submitted comments, and notified the Water Department.

**IV. Adjourn -** Commissioner Kit Eves MOVED to adjourn the meeting. Chair Johnson adjourned the meeting at 7:50PM

Respectfully submitted by D. Noll, Clerk, and James Finger Wetland Agent