

WINDHAM INLAND WETLANDS & WATERCOURSES COMMISSION

Minutes for Thursday June 11, 2009

I. Call to Order

The meeting was called to order at 7:05 P.M. Members present were Chair Susan Johnson, Joseph Marsalisi, Nancy Tinker, Helmut Traichel, and Joseph Wagner. James McGill was excused. Also present was Wetland Agent James Finger.

II. New Business – DISCUSSION/POSSIBLE ACTION

John Bellavance - 490 Boston Post Rd. North Windham – This is a request for ruling on removal of approximately 5,400 cubic yards of soil from property in preparation for development - no wetlands on site.

Mr. Greg Glaude, Licensed Land Surveyor, Danielson, CT, spoke for John Bellavance's project. For clarification, Mr. Glaude said they did not apply for a jurisdictional ruling, but for a full permit. He said they seek to work with Joshua's Trust and with the Wetlands Commission. Agent Finger said he had it down in the agenda as a jurisdictional ruling because there was no activity in the wetlands and he wasn't sure if there would be a quorum. However, he alerted the board because of the project's commercial nature.

The Agent's report explained that the property is one and a half acres in size, and lies just east of the TSC property. The applicant seeks to remove all structures on the site and regrade it to appear similar to the TSC in order to improve its marketability as a location for building a bank or other office as allowed by zoning. The final grade would be approximately 14' higher than the wetlands behind the property.

Mr. Glaude said that he believed that at one time there was significant automobile parts activity because of debris on the site, and Mr. Bellavance is working with Joshua's Trust to clear the area of the debris. Mr. Glaude showed what he called a fairly accurate map of the wetlands delineation. He will get more detailed revised plans to the board in the future. Wetlands are within 75' of the property line. A Planning and Zoning approval will be required. Once permits are in place, the grading would proceed quickly and the seeding would take place later this summer and the area would be stabilized by the fall.

Mr. John Pagini, Certified Agent and Conservation Coordinator for Joshua's Trust, thanked Mr. Bellavance and Mr. Glaude for their willingness to work together to clean the area and to come to a resolution on the plans. Mr. Pagini said that the individual attributes of the site must be studied and that asserted that a public hearing should be in order. Mr. Pagini prefers to look at proposals for the use of a site as they come in, rather than to decide beforehand what type of business will occupy the site, especially in consideration of "prudent feasible alternatives." Mr. Pagini said they had only just received the plans, and issues have just become identified.

There was a brief discussion of some pine trees that might be saved. Mr. Pagini said Joshua's Trust is very concerned about an adequate buffer. Chair Johnson noted that the

trees affect the wetland and act as a natural buffer. There was a discussion of the property line and it is hoped that it can soon be properly defined. Mr. Glaude offered to show a preliminary plan for a bank, and he said there is an interested party at this time. The current proposal is only to re-grade the site and make it more marketable.

Agent Finger said he was concerned about dust that would be created and invasive species, and he recommended that activity be minimized at this time. The Town Plan of Development recognizes the importance of low impact development techniques. He said the usual method of flattening an area and anticipating a use would not work well in this sensitive area.

III. Old Business– DISCUSSION/POSSIBLE ACTION

1. Windham TSC, LLC -- 476 Boston Post Road, North Windham -- review of reports in preparation prior to construction

Mr. Brogie had listed 16 conditions of approval. One requirement was that the developer sink monitoring wells near the Joshua Tract property to establish baseline information on water movement underground, in a dry period and wet period. Agent Finger is concerned that TSC could be subject for liability from an off-site migration of contaminants. He said he had seen lush algal/mossy growth in a drainage ditch on a neighboring property on Baker Road when they were trying to sell it, and needed to confirm a new location for a septic system repair in the upland; but no one has submitted a plan for that to date. Agent Finger asked Mr. Pagini to give his perspective.

Mr. Pagini, representing Joshua's Trust, said they submitted the monitoring report to Scott Horsely, an environmental consultant, and haven't heard of any concerns from him. He also said that it's important to have a good record, and that TSC can be held responsible for anything that comes from off-site. Agent Finger said Commissioner Brogie has been too busy with his own business to give any advice on the matter. Mr. Pagini offered to get in touch with Mr. Horsely and that they would get in touch with TSC's biologist and get some dialogue. Chair Johnson proposed that the interested parties should come to a Wetlands meeting.

2. 1565 West Main St., Willimantic -- progress report on abatement work

Agent Finger said he was given a revised map, which he distributed to the board. Some work has been done but there is still more to do. Agent Finger described the actions of the various parties involved. Chair Johnson said she is pleased that there is continuous response to the Commission's requirements. Then there was a discussion of the vegetation and drainage of the area, with the Agent reporting that the water was flowing in the channel unimpeded to the catch basin, and that Edens & Avant, the owner of the Willimantic Plaza had sent a letter to the neighboring property owner about the debris piles dumped on their property. Agent Finger said he went out to check on the progress the previous week and found that the debris piles had been removed, but he spoke to the neighbor – Locksmith business, and directed him to remove some additional debris piles. Upon his inspection before this meeting, the debris piles had been removed.

A motion to address under Miscellaneous a matter regarding the property on the corner of Mountain and Bridge Streets was made by Kristen Glanert for a Dog Day care business at 6-8 Mountain St. The vote to address the item under Miscellaneous was unanimous, in favor. (could not hear...)

III. Routine Business – DISCUSSION/POSSIBLE ACTION

1. Approval of Minutes -

Chair Johnson asked for a motion to approve the minutes from the 04-09-09 meeting.

A motion to approve the minutes was made by Ms. Tinker.

Mr. Traichel seconded the motion.

The vote was in favor of acceptance.

Chair Johnson abstained.

2. Miscellaneous -

Property on the corner of Mountain and Bridge Streets

Kristen Glanert explained that she was interested in renting the second floor of 6-8 Mountain Street to open a dog daycare facility. Garbage and sewer would be used for any mopping up or cleaning. Fecal waste would be removed from the property by a service based in Willington. Ms. Glanert said that she has also submitted the proposal to the Zoning Commission for approval. She said the owner of the property is willing to remove some of the asphalt that forms the parking lot at the property for walking the dogs. Chair Johnson was concerned about runoff into the river, and that dogs would carry bacteria. She explained that the nitrogen in urine is a contaminant. Mr. Traichel said the area is on ledge, which would not act as a filter. Ms. Glanert said she would be willing to installing a drainage system. Agent Finger said the parking lot pitches toward Mountain Street, not towards the river. Chair Johnson said the location may be too sensitive for such a use. Mr. Marsalisi suggested having a test bore to see how far the soil goes down. Chair Johnson thought that it would be a good idea to see what type of soil was there and what are the perc rates. Ms. Glanert agreed to do a perc test if that was what was needed, and would return with the results.

3. Correspondence -

- Agent Finger announced that Common Ground had applied to the DECD for funds, and that they have scaled back their project.
- Mr. Traichel and Agent Finger will attend the Thames River Basin Floating Workshop, which begins at Avery point at Project Oceanology.
- Agent Finger said that no one signed up to go to the Wetlands Commissioners Training Program. Chair Johnson believes the program will be available again.

V. Adjourn

Chair Johnson adjourned the meeting.

Respectfully submitted,
Kathleen Wright, Recording Clerk
July 1, 2009