

# WINDHAM INLAND WETLANDS & WATERCOURSES COMMISSION

Minutes for Thursday, June 9th, 2011

## I. Call to Order

Chair Susan Johnson called the meeting to order at 7:00 P.M. Members present were Chair Susan Johnson, Joseph Marsalisi, Nancy Tinker, Helmut Traichell and Joseph Wagner. Also present were Agent James Finger, and Recorder Kathleen Wright. Town Engineer Joe Gardner was present briefly.

## II. New Business – DISCUSSION/POSSIBLE ACTION

1. Request for release of the bond from *Windham Crossing LLC* – the property owner of **Tractor Supply store located at 476 Boston Post Rd. North Windham** abutting Joshua Tract's White Atlantic Cedar Bog – take receipt.

Agent Finger said he has the full report. Mr. John Pagini of Joshua's Tract asked for more time for their consultant to review the report in detail and they wanted access to the site, which they were granted. They will examine the site conditions against the final report to provide their comments. The list of conditions on the permit has been provided by Agent Finger to the board. He said that half of the bond we are holding is for Joshua's Tract. At this time we are just taking receipt of this request. We will hold it over until next month. If we don't hear from them at that time we will be ready to act.

Chair Johnson said she would like some response from Joshua's Tract. Agent Finger agreed, but he wanted to caution we are not ready to act tonight. He has not heard of any problems since they opened the store. In reviewing the material the board had received, Chair Johnson had a concern regarding the timing of the testing wells which took place March to April 2010 when the area had a lot of rain and flooding. She would like to know the results of those time periods.

Ms. Tinker had a concern on #5 in the conditions She wanted to know did the Town Engineer inspect the storm water conveyance and treatment system in it's entirety at the expense of the permittee. Chair Johnson said we should know if that happened and what were the results of the inspection.

Agent Finger said right after Tractor Supply finished, they asked for a CO; it surprised Joshua's Tract that we issued one, but we felt they had finished all the work except a test that required them to wait one year. We have a \$20,000 bond in place that is sufficient control and guarantee. Tractor Supply needed the CO so they could open the store. I rely on Joshua's Tract and their consultant to examine the report.

Mr. Traichell asked about the \$5,000 bond. Agent Finger said that bond is in addition to the \$20,000 bond for the inspection work and we have released whatever remained of the \$5,000. He said that Towne Engineering did the inspection.

Ms. Tinker asked about the installation of an 8' wooden fence. Agent Finger said a fence was installed, but not a stockade fence.

Engineer Joe Gardner said that he had inspected the drainage of Tractor Supply. He looked to see they put the pipes in at the right slopes, to see if retention basins were being built properly, and they were billed for his time. Chair Johnson asked Mr. Gardner if he guided them through the process and went out subsequent to that. Mr. Gardner said he went out during construction and checked to make sure they were doing it properly, and there were no problems. Agent Finger said they had to make some revisions to the pipe and they gave us revised plans on the routing of that pipe. Chair Johnson had a concern that the retention basin would need to be cleaned out. Mr. Gardner said it would not be needed in his lifetime, and that there will be no problem with accumulation of water.

Ms. Tinker made a motion to take receipt of the request for release of the bond from *Windham Crossing LLC* – the property owner of Tractor Supply store located at 476 Boston Post Rd. North Windham abutting Joshua Tract's White Atlantic Cedar Bog, awaiting comments from Joshua's Tract. Mr. Traichell seconded the motion. The motion was approved by unanimous vote.

#### I. **Routine Business – DISCUSSION/POSSIBLE ACTION**

1. **Approval of Minutes** - Ms. Tinker made a motion to approve the minutes of the Sept. 9<sup>th</sup>, 2010 meeting. Mr. Wagner seconded the motion. The motion was approved, with Chair Johnson and Mr. Marsalisi abstaining.
2. **Correspondence/ Miscellaneous**
  - Agent Finger said he routinely gets reports on the Scotland Dam. First Light, a subsidiary of CLMP, and Norwich Public Utilities are competing for the license for renewal coming before FERC. Norwich Public Utilities asked for extra time so that they could complete reports. We will see a final list of conditions for the applicants. CLMP actually owns the dam. Quite a bit of work is proposed to basically tear the dam down or reduce its height in order to almost double electrical production. They are going to change turbines so that fish will not be harmed and create a fish passage and portage around the dam.
  - Chair Johnson asked about training programs. Agent Finger had sent a flier via email. One is coming up in October.
  - Agent Finger asked about an exchange of open space along the river. Chair Johnson said the package includes multiple parcels of property, one of which is 17 acres of contaminated land swapped for acreage not contaminated. The situation involved two towns. That passed the legislature last night.
  - Chair Johnson noted a Thames River Basin Watershed Riverboat ride. Agent Finger had forwarded an email on this to the board.
  - Agent Finger noted "Habitat", a quarterly newsletter on conservation and wetlands issues in terms of case law and changes to regulations.
  - Agent Finger noted an interstate electrical reliability study where CLMP is trying to improve their service and add extra capacity. This does not effect Windham unless there are problems in the route through Mansfield. The report talks about alternative routing which would involve wetland crossings. Increasing the capacity of the power lines is to create some redundancy and would facilitate interstate power assistance.

Chair Johnson said they came for a discussion with the Energy and Power Committee two years ago and they are willing to help pay for cost of expanding the capacity of the grid.

- Agent Finger announced that the second session of the Commissioners Training Session will occur 6:30 - 9:30 PM, tomorrow, Friday, June 10, in Bridgeport, and on Tuesday, June 14 & Thursday, June 16 at Hartford at the UCONN Graduate Business Learning Center. Agent Finger has a voucher and the classes should be taken in sequence. Chair Johnson has tried to make it available on cable access TV. Agent Finger has DVDs of the standard program.
- Chair Johnson asked to have the East-West Interstate Solution Report sent to the board.

#### **V. Adjourn**

A motion to adjourn was made by Mr. Traichell. Ms. Tinker seconded the motion. Chair Johnson adjourned the meeting at 7:35 PM.

Respectfully submitted,  
Kathleen Wright, Recording Clerk  
June 17, 2011

Chair Susan Johnson