

REGULAR MEETING MINUTES
WINDSOR INLAND WETLANDS & WATERCOURSES COMMISSION
TUESDAY JANUARY 7TH, 2025 7:00PM
HYBRID MEETING – COUNCIL CHAMBERS AND ONLINE
Online webinar: <https://us02web.zoom.us/j/85435818689>

Chairman Fraysier called the meeting to order at 7:02 p.m.

1. ROLL CALL

Present: Chairman Fraysier, Secretary Towers, Commissioners B. Stearns, N. Osowiecki, and C. Elkins.

Also present was Wetland Agent, Chloe Thompson.

2. PUBLIC COMMUNICATIONS (3-minute limit on items other than Public Hearings) – None;
communications closed at 7:03pm.

3. BUSINESS MEETING

a. MINUTES:

Commissioner Osowiecki made a **motion to approve the minutes for December 3rd, 2024 as amended.**
Commissioner Towers seconded the motion. **Vote 5-0-0**

b. OLD BUSINESS

i. Application 24-220: 89 & 99 Lamberton Road, Verogy – Solar Array

Brad Parsons from Verogy introduced himself as the representative for the application. Also present was Anthony Capuano from Solli Engineering and two representatives from Travelers. B. Parsons reviewed the comments from the Commission from the previous meeting and explained the revised design. The most notable revisions include relocation of the access road and removal of the gravel base which allowed them to remove the stormwater basin (pending final calculations) to the west and shifting of panels east, closer to the outside edge of the upland review area. B. Parsons stated that the full updated package has not yet been completed or submitted for this new proposal.

Chairman Fraysier asked if the limit of disturbance line on the plan was also indicating the limit of vegetation clearing. B. Parsons stated that is correct; the area will also be replanted with a meadow mix seed after clearing and grubbing.

Chairman Fraysier asked for detail on the electrical utility crossing to the south of the array. B. Parsons stated that this will be a two-foot wide standard utility trench for two conduits. Chairman Fraysier asked how deep the existing culvert was. B. Parsons stated that there are twin culverts

nearly at grade which would be supported during construction, and electrical would be installed underneath the drainage structure roughly 36 inches below depending on the code for required distance of separation between them. Chairman Fraysier asked if this was a typical practice. B. Parsons stated that is very common and they will have to cross other drainage structures on the site as well adjacent to the existing building and parking lot.

Commissioner Osowiecki asked if B. Parsons was able to provide more information on why the solar panels cannot be placed on the roof or parking lot, per comments from the previous meeting. B. Parsons noted that Travelers representatives wanted to specifically state that they are not opposed to installing solar panels on roofs – this building has extenuating circumstances as to why this was not a favorable alternative. B. Parsons explained that this facility houses a critical laboratory and serves as a major hub center which cannot be easily relocated. Based off of Travelers’ detailed risk assessment it was determined that using the available land was more beneficial.

Chairman Fraysier asked if there were any updates to the wetland report. B. Parsons stated that it hasn’t been updated yet, but they intend to submit this ahead of the next meeting. Chairman Fraysier asked for a summary of the functions and values. B. Parsons summarized sections the wetland report which includes natural wetland areas, as well as man-made wetlands serving as drainage for the building when it was initially constructed. W.A. Thompson recommended having the wetland scientist present for the next meeting to answer questions.

W.A. Thompson noted that per conversations she had with B. Parsons in preparation for this meeting, it was expressed that the information presented tonight is just a brief update and the applicant is not seeking approval in this meeting; the final plans and reports are still in progress. B. Parsons confirmed this.

Commissioner Stearns asked for an update on the previous comment about the width of the road crossing the wetland. B. Parsons stated that he believes this was more of a concern when the access road was initially proposed to the south; the relocated road is 12 feet wide.

Chairman Fraysier stated that he is still concerned that there is a significant amount of disturbance proposed rather than using areas that are already developed, but appreciates the effort made to reduce the impact from the initial proposal.

Chairman Fraysier noted that there is an existing conservation easement on the property in the northwestern portion of the property, and suggested this area be expanded to include the wetlands. B. Parsons stated that they would review this. W.A. Thompson stated that according to the land records, this was established in 2006, not only for wetlands, but for general conservation of natural habitats.

Commissioner Towers asked if there were any protected species reported on the property from NDDb. B. Parsons stated that the Eastern box turtle were returned from their NDDb request; the area of which is to the far southern portion of the property, well outside of their limit of

disturbance. W.A. Thompson stated that she has been getting reports lately of sightings outside of the NDDB areas. B. Parsons stated that on a different application of his, it was reported that there were turtles specifically using upland areas outside of the forest canopy around solar arrays during the summer.

Chairman Fraysier asked for more information on ‘heat island effects’ as mentioned in the previous meeting. B. Parsons summarized the findings of report by Brookhaven National Laboratories, and will forward this to W.A. Thompson.

Commissioner Towers made a **motion to table application 24-220: 89 & 99 Lamberton Road, Verogy – Solar Array**, per applicant request. Commissioner Elkins seconded the motion. **Vote 5-0-0**

4. VIOLATIONS

a. Remediation Review

i. V23-122: 364 Addison Road, Mark Scott – Cease & Desist Order

W.A. Thompson explained that a mark-up draft of the Order was provided to the IWWC and the property owner party, which includes the corrective actions as previously discussed.

Brian Denno from Denno Land Surveying addressed the Commission as the representative for this violation.

Chairman Fraysier asked if there was an established timeline for when this had to be implemented. W.A. Thompson noted that the plan requires a three year monitoring period. Chairman Fraysier stated that it would be beneficial to have a date by which the initial efforts must be completed. Commissioners Osowiecki and Stearns agreed. B. Denno stated they have made changes to the materials since the previous meeting per Commission and wetland agent comments. Chairman Fraysier asked if all of the work was currently planned to occur in the spring of this year. B. Denno confirmed this.

W.A. Thompson noted a discrepancy in B. Denno’s memo stating that invasive species would be removed by a ‘contractor’ while another section states that this shall be completed by a ‘professional landscaper or soil scientist’, i.e. SSES. B. Denno stated that he will correct this. Regarding Chairman Fraysier’s comment, W.A. Thompson suggested implementing a requirement for an annual progress report to be submitted to the wetland agent, similar to what has been mandated for other restoration plans.

Chairman Fraysier proposed requiring the initial phase of the restoration plan to be completed by June 15th, 2025. W.A. Thompson noted that the Army Corps are also involved with this violation which may have an impact on how soon this restoration plan can be implemented. B. Denno stated that the Army Corps is requesting a copy of the plan approved by the IWWC before they will inspect the site.

Commissioner Osowiecki made a **motion to revise the Order as proposed for Violation V23-122: 364 Addison Road, Mark Scott – Cease & Desist Order with the following additions and corrections:**

1. Revise restoration requirement #5 to require the invasive plant removal be conducted by a professional landscaper or wetland scientist;
2. A progress report shall be submitted to the wetland agent by November 30th of each year until the final monitoring year;
3. All restoration methods shall be completed by June 15th, 2025.

Commissioner Towers seconded the motion. Vote 5-0-0

5. AUTHORIZED AGENT ACTIONS

- a. W.A. Thompson stated that there were no agent approvals.

6. AGENT REPORTS

- a. W.A. Thompson stated that the meeting room for the September 2nd, 2025 meeting has been changed to the Ludlow Room across the hall.
- b. W.A. Thompson recommended Commissioners attend a CT Land Use webinar on March 22nd.

7. PETITIONS FROM COMMISSIONERS

- a. Commissioner Stearns asked about the status of the violation on 509 River Street. W.A. Thompson stated that the Town Attorney is currently working on the process for filing a Notice of Assessment, which will allow for a lien to be placed on the property.
- b. Commissioner Elkins asked for an update on the violation at 705 Prospect Hill Road. W.A. Thompson stated that this is currently following the same process as the River Street violation.

8. ADJOURNMENT

Commissioner Towers made a motion to adjourn at 8:15 p.m. Commissioner Elkins seconded the motion. Vote 5-0-0

I certify that these minutes were approved on

Marlene Towers, Secretary
Inland Wetlands and Watercourses Commission