

# Inland Wetlands Commission

## Regular Meeting

### MINUTES

#### Hybrid

Wednesday, January 24, 2024

7:00 p.m. - Main Conference Room/Zoom

**Members Present:** R. Papsin, J. Audet, L. Gendron

**Members Absent:** B. Bennett, J. Anthony-Bogue

**Alternates Present:** C. Koppel, M. Dubow

**Alternates Absent:**

**Staff Present:** M. Haverstock, T. Rill

**Public Present:** S. Curran, M. Gawell, P. Talbot, P. Szymanski, R. Seelye, T. Thacher, D. Lemire, J. Blore

Chair Papsin called the meeting to order at 7:01pm.

He seated himself, Ms. Audet, Mr. Gendron, Mr. Koppel for Mr. Bennett and Ms. Dubow for Ms. Anthony-Bogue

#### **Consideration of the Minutes:**

Regular Meeting Minutes: 01-10-2024:

**MOTION: To approve the 01-10-2024 Washington Inland Wetlands Meeting Minutes as submitted, by Ms. Audet, seconded by Mr. Koppel, approved unanimously.**

01-16-2024 Site Inspection Report for #IW-23-81/Arthur H. Howland & Associates for Stiteler/198 Tinker Hill Rd/submitted by C. Koppel:

**MOTION: To approve the 01-16-2024 Site Inspection Report for #IW-23-81/Arthur H. Howland & Associates for Stiteler/198 Tinker Hill Rd/submitted by C. Koppel, by Ms. Audet, seconded by Mr. Gendron, approved unanimously**

01-16-2024 Site Inspection Report for 217 West Shore Rd/Notice of Violation/submitted by L. Gendron:

**MOTION: To approve the 01-16-2024 Site Inspection Report for 217 West Shore Rd/Notice of Violation/submitted by L. Gendron, by Ms. Audet, seconded by Mr. Koppel, approved unanimously**

#### **Motion to Include Subsequent Business Not Already Posted on the Agenda:**

None.

#### **Pending Applications:**

**Arthur H. Howland & Associates for Stiteler/198 Tinker Hill Rd./#IW-23-81/for a boat house:**

Mr. Szymanski, representing the property owner, stated that the proposed boat house, which is to be located off West Shore Road, will be a 13' x 15' structure that will use four sonotubes at each of the corners and an 18-inch wide pre-cast footing. A very small amount of concrete will be used and left in the dump truck, so there will not be any stockpiling of materials. No machinery will be used, all work will be hand dug. Chair Pasin asked Mr. Szymanski to change that there will be one maple tree removed onto the plan, which Mr. Szymanski signed and dated.

Ms. Audet questioned what the step with ramp will be comprised. Mr. Talbot explained that it will be a stone or wooden step that will be laid on the ground with gravel under it. He added that the boat house is a pole barn with pre-cast footings that will be dropped down into a pre-dug hole. There should be six holes total. Ms. Audet asked about the soil surface under the barn. Mr. Talbot explained that there will be as little ground disturbance as possible. Mr. Szymanski asked that Mr. Talbot add the details regarding the six holes to be dug and gravel under the step to be added to the plans.

The Commission tabled this application until the February 14, 2024, Inland Wetlands Commission meeting at 7:00pm.

**New Applications to be Received by the Commission:**

**Cardinal Engineering for the Town of Washington/5 East Shore Rd./ #IW-23-79/ Rehabilitation of the New Preston Dam:**

The Commission accepted the application.

Mr. Seelye of Cardinal Engineering, representing the Town of Washington, stated that First Selectman Jim Brinton had contacted his engineering firm regarding the dam at New Preston Falls. There is a 2x2 opening at the dam that had been closed off, but that closing had washed away. The firm had weighed the options on how to repair the issue and decided that a minimal repair rather than removing the dam entirely or rebuilding completely was the best option. The project would be done in two phases; to work on the West side of the dam (closest to J. Seitz) and remove the built-up sediment. The second step would be to relocate the coffer dam, repoint the stone masonry, remove the grout, repair the retaining wall with rounded stone, refill the area by the 2 x 2 opening, refill with impervious clay material and seal it with sandbags, this way if the town needs to lower the water level, the bags can be removed easily. He added that an environmental engineer has been hired to test the sediment. The Commission requested that the details of the sandbags and the area of the anti-tracking pad should be marked and staked for the Site Walk.

The Commission scheduled a Site Walk for Tuesday, January 30, 2024, at 3:00pm.

**Other Business:**

There was no other business for this meeting.

**Enforcement and Compliance Initiatives:**

Ms. Haverstock reviewed the properties that she and Chair Papsin have visited for Site Inspections.

32 Lower Church Hill Road - #IW-23-67 – Notice of Violation:

Ms. Haverstock read the following Motion made by the Inland Wetlands Commission at their November 21, 2023, meeting:

MOTION: To act on the Correction of Violation for Stuart Somers Co. for Curran/32 Lower Church Hill Rd./#IW-23-67. 1.) The applicant must enlist the service of a Certified Forester, private or State, for the best course of action, 2.) must enlist a Certified Landscape Architect Company for replanting, 3.) clean-up work to be done when the ground is frozen 4.) The applicant will need to come back to the Commission within two months (January 24, 2024), with the plan for remediation 5.) As of this meeting, I am directing Land Use Staff to attach the Violation to the Land Records of 32 Lower Church Hill Road 5.) Extend the setback to the Upland Review Area to 250-feet, by Mr. Koppel, seconded by Ms. Bogue, approved 5-0 vote.

Mr. Papsin explained that these are the steps that need to be taken to correct this violation.

Mr. Gawel, representative of Mr. Curran, the owner of 32 Lower Church Hill Road, explained that he visited the site and saw very little erosion on the property. He added that Mr. Curran has reached out to several foresters and that due to the trees lying on the property, they will not inspect the site. Mr. Gawel stated that he did not recommend waiting for the ground to freeze to begin cleaning up the site, as the ground will not fully freeze in this area. He questioned what the Commission is requiring from a certified forester. Chair Papsin explained that a replanting plan will be required, and the Commission would like a report from a Certified forester to move forward.

Mr. Curran explained that he had reached out to several foresters and was told the downed trees need to be organized before they would go to the property. Ms. Haverstock clarified that the Commission requested that a forester be present at this meeting, so that they could at least hear their recommendation. Ms. Haverstock added that generations of complete tree canopies were lost due to this situation that protected and promoted the wetland area and stream. This now endangers the understory and stream that feeds the Shepaug River.

Chair Papsin stated that at the February 14, 2024, Inland Wetlands meeting, the Commission will require that a letter from the licensed forester, and a reforestation plan for the area be provided. The application will be subject to peer review at the expense of the property owner as well. A complete sequence of construction will be necessary including what type of equipment will be used. Chair Papsin also recommended a pre-application meeting with the Land Use Office.

217 West Shore Road - #IW-23- Notice of Violation:

John Blore and Paul Szymanski were present to represent the property owner.

Ms. Haverstock explained that the property owner was issued a Notice of Violation on December 29, 2023. The initial concerns were the following:

1. Failing to comply with the terms, conditions or limitations placed on a permit – which are designed to carry out the purposes of the Inland Wetlands and Watercourses Act (CGS section 22a-42a(d)(1).
2. Exceeding the scope of activities described in the permit application and approved in the permit.
3. Failing to comply with the construction practices or procedures described in the permit application and approved in the permit.

Mr. Szymanski that he will be working with Mr. Blore to take the appropriate steps to correct the violation.

The Commission questioned the trench location and size, and the roots of the five trees that were cut down. They requested that a certified arborist review and report on their findings. After this, the Landscaped Architect will submit a modification to the planting plan that was originally approved or a new planting plan entirely. Mr. Szymanski will submit a report regarding what was permitted vs. what has been done.

Chair Papsin explained that there will be two applications – a correction of the violation and a modification to the current permit.

**MOTION: To permit the contractor for 217 West Shore Road, John Blore, to enter the property at the lakeside to install the additional erosion control measures as per the approved plan from the original permit, #IW-23-57, so the erosion control measures including the turbidity curtain and the extra hay bales, silt fence and hay bales, and to allow an arborist to enter the property to do a survey of conditions of the trees, and for Paul Szymanski of A.H. Howland & Associates to enter the property for an as-built survey, by Ms. Audet, seconded by C. Koppel, approved unanimously.**

**Administrative Business:**

None.

**Communications:**

None.

**Adjournment:**

**To adjourn the January 24, 2024, Washington Inland Wetlands Commission meeting at 8:14pm, by Ms. Audet, seconded by Mr. Koppel, approved unanimously.**

Meeting Recording can be found here:

[https://townofwashingtoncc-my.sharepoint.com/:u:/g/personal/trill\\_washingtonct\\_org/Ed7hCoNzqjNGv9z5fkDpcVEBMsxkGz7QK-PnEyEUXUmFPQ?e=EXpVEx](https://townofwashingtoncc-my.sharepoint.com/:u:/g/personal/trill_washingtonct_org/Ed7hCoNzqjNGv9z5fkDpcVEBMsxkGz7QK-PnEyEUXUmFPQ?e=EXpVEx)

Dated: 01-26-24

Signed,



Tammy Rill  
Land Use Clerk

\*Minutes filed, subject to approval

Date	Site Inspection	Notes
Thursday Janaury 11, 2024	Scofield Hill Road	Review site post storm
Thursday Janaury 11, 2024	Nettleton Hollow	Review properties post storm
Thursday Janaury 11, 2024	Myfield Project	Review permit requirements, project updates
Thursday Janaury 11, 2024	West Morris Road	Review permit project area re: any activity
Thursday January 18, 2024	178 Shearer Road	Pre application site review
Thursday Janaury 18, 2024	101 New Preston Hill	Clarification letter sent re: activity
Thursday January 18, 2024	230 Nettleton Hollow	Site inspection/drainage
Thursday Janaury 18, 2024	92 South Street	Clarification letter sent re:activity
Thursday January 18, 2024	Nettleton Hollow	Review of road and drainage
Thursday January 18, 2024	East Shore Road	Clarification letter sent re:activity