

Town of Washington
Inland Wetlands Commission
MINUTES
Regular Meeting
July 8, 2020

7:00 p.m.

Zoom Video Conference

Members Present: Mr. Papsin, Mr. LaMuniere, Ms. Branson, Mr. Bedini, Mr. Bennett, Mr. Gendron, Alt.

Staff Present: Ms. White, Mr. Tsacoyannis

Also Present: Mr. Francis, Mr. Szymanski, Mr. Gawel, Mr. Davis, Mr. Sherr, Ms. Gorra, Mr. Hubelbank, Mr. Brinton, Mr. Herrick, Mr. Rettenmeier, Mr. Daly, Mr. Herzer, Ms. Zukausas, Members of the Public

Call to Order:

Mr. Papsin called the meeting to order at 7:04 pm.

Seated: Mr. Papsin, Mr. LaMuniere, Mr. Bedini, Mr. Bennett, Ms. Branson

Consideration of the Minutes (00:24):

A. Regular Meeting Minutes: 6-24-2020:

MOTION: To approve the June 24, 2020, Regular Meeting Minutes as submitted, by Mr. La Muniere, seconded by Mr. Bedini, passed 5-0 vote.

B. Special Meeting Minutes: 6-30-2020 – Site Inspection Report – 285 West Shore Rd/Permit #IW-20-34:

MOTION: To approve the Special Meeting Minutes submitted by Mr. LaMuniere and Ms. Branson for the 6-30-2020 Site Inspection at 285 West Shore Rd/Permit #IW-20-34, by Ms. Branson, seconded by Mr. Bedini, passed by 5-0 vote.

Subsequent Business (01:35):

There was no subsequent business to add to the agenda.

Pending Applications:

A.H. Howland & Associates for LGA Holdings, LLC/23 Loomarwick Rd (lakeside)/Application for Permit #IW-20-19/ Lakeside improvements (01:37):

Mr. Szymanski, P.E. was present to represent the property owners for this application. He explained stated that he submitted a letter explain the reduction in scope of the project and a new "Proposed Site Development & Sedimentation Control Plan," with a revision date of 7-06-2020.

The Commissioners scheduled a site inspection for Tuesday, July 14 at 4 pm at 23 Loomarwick Rd (Lakeside).

A. H. Howland & Associates for DLT Properties of Washington, LLC. /157 Nettleton Hollow Rd/Application for Permit #IW-20-25/Construction of Single Family Dwelling w/Related Appurtenances within regulated area (02:47):

Mr. Francis, EIN, of A. H. Howland & Associates was present to represent the property owners. He noted that photographs of the staked area and a drawing plan of the bridge were sent to the Commission and asked if the Commissioners had any questions. He added that the trees have been marked that are to be saved or removed and they will mow the area before the site visit.

The Commissioners scheduled a site inspection for Tuesday, July 14 at 5 pm at this property.

Durrett/7 Worcester Rd/Application for Permit #IW-20-33/Aquatic Herbicide/Algaecide Application (05:39):

Mr. Davis of the Pond and Lake Connection was present to represent the property owner.

It was confirmed that all MSDS sheets for the proposed herbicides and algaecides were submitted.

Mr. Davis discussed how the application of the proposed herbicides and algaecides would not affect the indigenous animals and plant life. He listed the different chemicals that will be used and noted that the application would be focused on the pond itself and after the initial application only spot treatment would be necessary.

The Commissioners felt that all of their questions and concerns had been addressed.

MOTION: To approve the application submitted by Durrett at 7 Worcester Rd for Permit #IW-20-33 application of algaecide/herbicide to pond per application dated 5-04-2020 and the accompanying documents on file for this application. This permit is valid for two (2) years and is subject to the following conditions: 1. that the Land Use Office be notified at least 48 hours prior to the commencement of work so the Wetlands Enforcement Officer can inspect and approve the erosion control measures, 2. that the property owner gives the contractor copies of both the motion of approval and approved plans prior to the commencement of work, and 3. any changes to the plans as approved must be submitted immediately to the Commission for review the Commission has determined that no reasonable and prudent alternatives exist, and believes that there is no reasonable probability of significant adverse impact on any wetlands or watercourses, by Mr. Bennett and seconded by Ms. Branson, passed by 5-0 vote.

Gawel for West Shore Farms, LLC/285 West Shore Rd/Application for Permit #IW-20-34/Install drainage near and into wetlands (12:39):

Ms. White informed the Commissioners that Mr. Gawel emailed her a request to continue this discussion at the next regularly scheduled meeting of the IWC on July 22, 2020, at which time he should have a map showing all of the property boundaries.

Mr. Bennett stated that he will not be at the next regularly scheduled meeting on July 22, 2020.

Ms. White stated that the Commission could wait to act on this application at the first meeting next month scheduled for August 12, 2020, beginning at 7:00 pm, and they would still be within the 65 day time period in which the Commission is required to make a decision.

New Applications to be Received by the Commission:

Town of Washington/11 School St/Request for Modification to Permit #IW-20-28/Add underground electrical conduit buried a minimum of 6" (13:53):

Ms. White explained that the EO approved this permit for a prefabricated 14' x 40' shed on a 16' x 42' gravel pad. The original permit did not indicate a trench for electrical service and that is what this modification is for. She stated that the location is perpendicular to the existing pavilion and walking path.

Mr. Tsacoyannis, WEO, noted that the proposed location is outside of the setbacks. He noted that they will be digging 4-6 inches deep to create a level area for the stone base gravel pad so that it is level with the grass.

Mr. Papsin suggested the Commissioners go on their own to take a look at this proposed location and asked that the location of the shed and the electrical trench be marked out.

Mr. Bedini suggested that Mr. Tsacoyannis find out whether the existing electrical panel would be able to serve this shed.

Neff for Malle/35 Potash Hill Rd/Request for Modification to Permit #IW-20-12/for 2 additional well sites, the substitution of previously approved trees, installation of submersible irrigation pump, approval of "Irrigation Sprinkler Plan"(18:56):

Ms. White informed Mr. Neff that he did not need to be present for the Commission to receive this application tonight.

The Commissioners did not feel a site inspection would be necessary and they accepted this application.

Other Business

Town of Washington - Pre-application consultation with the Commission on a proposal for the use of the Titus property (21:10):

First Selectman Brinton stated that he and Selectmen Gorra and Hubelbank agree that something needs to be done to improve the Senior Center. It became apparent that the current site is not conducive to extensive improvements which prompted the Board of Selectmen looked into other available properties in Town and have decided that the most viable was the "Old Town Garage" property on Titus Road. First Selectman Brinton acknowledges that this site is not without its imperfections. He stated that the Town Meeting in January provided feedback from the residents which expressed that they favor the idea of a Community Center.

First Selectman Brinton stated that they took the input from this public meeting and partnered with S.L.A.M. Collaborative and Milone & MacBroom to provide the Land Use Commissions with complete applications and as much information as possible. He then introduced Mr. Herrick from S.L.A.M. Collaborative to start the presentation.

Mr. Herrick, Architect, and Principle with S.L.A.M. stated that his firm was engaged to perform a conceptual study. He introduced Mr. Rettenmeier, Licensed Landscape Architect, and Mr. Daly, Civil Engineer with Milone & MacBroom. Mr. Herrick explained that they were hired to 1. assist the Committee in defining the project, 2. identify the challenges and opportunities of the proposed site, understand the planning and zoning issues (i.e. setbacks, site access, etc.) and site design, 3. develop a conceptual site plan depicting a rough idea of what the Town of Washington is looking to accomplish, and 4. Assist the Committee in presenting the conceptual plan to the regulatory agencies of the Town to receive input, take questions, and address their concerns.

Mr. Herrick displayed photographs of what the spaces in the approximately 8,000-9,000 sf building could look like and be used for and photographs of existing conditions on the site.

Mr. Rettenmeier presented an "Existing Conditions" map of the 4.7 acre Titus Road property and then a map titled "Conceptual Site Plan – Concept" showing possible locations of the main building, parking areas, walkways, lawns, etc. The EC map shows that the entire property is located in Zone AE 100 year Flood Zone and the B2 Town of Washington Zoning District. Mr. Rettenmeier discussed the conceptual site improvements and presented another map titled "Conceptual Site Plan – Scope Within Upland Review Area," highlighting the conceptual scope of work within 100 feet of the Shepaug River. He shared some conceptual images of the conceptual site improvements.

Mr. Daly presented a map titled "Washington Community Center – Section Study" dated 06-09-2020. He noted that his firm, Milone & MacBroom, performed the civil engineering for the site and they had their soil scientist flag the wetlands. He stated that they did an investigation of the resources on-site and found the wetland edge is the high water mark to the Shepaug River which they have flagged but they did not find any other wetland resources on the site. He discussed drainage and infiltration of water and how they would look at addressing stormwater. Mr. Daly explained how they would be developing a stormwater system that has a lot of low impact development features to it with the ultimate goal of infiltrating 100% of all runoff from the site as it functions today. He informed the Commissioners that they would need to do further calculations for cut and fill within the flood plain to create 0 impact on the flood storage. Mr. Daly discussed the conceptual location of a septic area outside of the 100 ft upland review area and noted that the soil test revealed that the soils were suitable for an onsite sewage disposal. He reminded the Commissioners that this is all conceptual and that they will have to perform some very detailed soil testing, and drainage calculations before they submit applications into the Land Use agencies.

Mr. Herrick concluded the presentation and turned it over to 1st Selectman Brinton who opened the floor up to questions from the Commissioners.

Mr. Bennett commented that he has seen a site that used stormwater storage areas such as the ones conceptualized in these plans. He highly recommends the plantings for these stormwater collecting depression areas for not only functional but aesthetic reasons.

Mr. LaMuniere stated that he looks forward to receiving more details and information based on calculations.

Ms. Branson stated that she feels this is a very impressive conceptual plan and that she appreciates the attention that was paid to the review area and she looks forward to hearing the feedback from the community.

Mr. Gendron commented that the scale of the building fits nicely into the conceptual design. He noted that he feels that there is a lot of information that the IWC would still need due to the increase in activity on the site.

Mr. Papsin stated that he agreed with everything his colleagues have said regarding the need for more detail backed up by calculations. He noted that, overall, the IWC seems to feel good about this conceptual plan. He added that if any of the Commissioners have any further questions they should email Ms. White, Land Use Administrator, and she will forward them to the Selectmen.

There was a brief explanation of the process that this project must follow. First Selectman Brinton confirmed that this conceptual plan was being presented to the Land Use Agencies to give them as much information as the Committee has at this point, and receive feedback and questions from these agencies. The conceptual plan will then be presented at a public meeting and if the Town approves the concept, then actual applications for a more detailed, calculated plan will be submitted to the appropriate Town agencies. The Board of Selectman clarified that tonight's presentation and the other presentations scheduled for Land Use Commissions are to get feedback as to whether this conceptual plan should move forward.

Enforcement:

Enforcement Activity Report (58:58):

Mr. Tsacoyannis review his report with the Commissioners:

- 223 Litchfield Turnpike: Mr. Tsacoyannis confirmed that the fine was paid, he met with the property owner on-site and the pile of gray sandy soil was removed but after it was moved there was a little on the ground. He noted that he visited the site yesterday and this small amount had been removed. Mr. Tsacoyannis stated he will revisit the site and if everything has been corrected he will close this citation out.

- 101 Wykeham Road: Mr. LaMuniere asked when the property owners were going to put up the bond money so the cleanup can begin on the site. He stated that people have been asking him when the demolition was going to start and he feels that as a commission, the IWC should push it. It was noted that the property owners were granted a 2-year permit and there was no stipulation or condition of approval that stated when they were to post the bond or begin the demolition. The IWC asked Ms. White to contact Counsel to see when the bond needs to be posted if a letter can be sent to the property owner to request the bond be posted and what the Town can use bond money for.

Mr. Gendron expressed concern regarding the stonewall at the corner of Bell Hill and Wykeham, which has collapsed into the stream and the trench above the property. The WEO stated that he would take a look at it.

- Bazos property on Tinker Hill Rd: Mr. LaMuniere asked where the IWC stands on receiving an as-built of the work that was done on the property so the Commission can review what was

approved compared to what was built. Mr. Tsacoyannis stated that he can follow up with the property owner.

Mr. Tsacoyannis stated that stormwater sampling for the site will most like be performed 2 weeks before demolition.

New Developments:

•27 West Shore Rd, 28 Tinker Hill Rd, 169 West Shore Road, 214 West Shore Rd: Mr. Tsacoyannis received complaints during the heavy rain and went out to check on these sites. He noted that 27 West Shore Road and 28 Tinker Hill Road held up well, no sediments had moved across the road. He noted that the seawall at 214 West Shore prevented water from going into the lake and there were issues with the silt fencing at 169 West Shore Road and he will be contacting the contractors to advise them to get out there and fix it as soon as possible.

Other Business:

There was no other business to discuss.

Administrative Business:

There was no administrative business to discuss.

Communications:

There were no communications to discuss.

Adjournment:

MOTION: To adjourn at 8:25 pm by Mr. Papsin, passed unanimously.

Respectfully Submitted,



Shelley White, Land Use Administrator
July 15, 2020