

**Town of Washington**  
**Inland Wetlands Commission**  
**MINUTES**  
**Regular Meeting**  
**July 22, 2020**

**7:00 p.m.**

**Zoom Video Conference**

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

**Members Absent:** Mr. Bennett,

**Staff Present:** Ms. White, Mr. Tsacoyannis

**Also Present:** Mr. Francis, Mr. Szymanski, Mr. Davis, Ms. Payne, Mr. Hammond, Mr. & Mrs. Frank, Ms. Anderson, Mr. Wilson, 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, Ms. Branson, Mr. Gendron, Alt.

**Consideration of the Minutes (00:40):**

**Regular Meeting Minutes: 7-08-2020:**

**MOTION:** To approve the July 8, 2020, Regular Meeting Minutes as submitted, by Mr. Bedini, seconded by Ms. Branson, passed 5-0 vote.

**Special Meeting Minutes 7-14-2020 – Site Inspection Report – 23 Loomarwick Rd/Permit #IW-20-19:**

**MOTION:** To approve the Special Meeting Minutes submitted by Ms. Branson for the 7-14-2020 Site Inspection at 23 Loomarwick Rd (lakeside)/Permit #IW-20-19, by Mr. Bedini, seconded by Mr. Gendron, passed by 5-0 vote.

**Special Meeting Minutes 7-14-2020 – Site Inspection Report – 157 Nettleton Hollow Rd/Permit #IW-20-25:**

**MOTION:** To approve the Special Meeting Minutes submitted by Mr. LaMuniere for the 7-14-2020 Site Inspection at 157 Nettleton Hollow Rd /Permit #IW-20-25, by Mr. Gendron, seconded by Ms. Branson, passed by 5-0 vote.

**Subsequent Business (01:56):**

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 (02:00)**

Mr. Szymanski was present to represent the property owners.

The Commissioners did not have any further questions regarding this application.

**MOTION:** To approve the application submitted by Arthur H. Howland & Associates for LGA Holding, LLC. at 23 Loomarwick Rd (lakeside) for Permit #IW-20-19 for lakeside improvements including reconfiguration of stairs, reconstruction of lakefront retaining walls and creation of a larger level sitting area per map titled "Proposed Site Development & Sedimentation Control Plan," prepared for LGA Holdings by Arthur H. Howland & Associates, sheet SD.1 dated March 25, 2020 with revision date of 7-6-2020 showing reduction in scope of project, 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 give 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 wet lands or watercourses, by Ms. Branson and seconded by Mr. Bedini, passed by 5-0 vote.

**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 (05:55):**

Mr. Francis, EIN, of A. H. Howland & Associates was present to represent the property owners.

There were no further questions from the Commissioners.

**MOTION:** To approve the application submitted by Arthur H. Howland & Associates for DLT Properties of Washington, LLC. at 157 Nettleton Hollow Rd for Permit #IW-20-25 for the construction of a single family residence with appurtenances per plan dated per map titled "Proposed Site Development & Sedimentation Control Plan," prepared for DLT Properties of Washington, LLC. by Arthur H. Howland & Associates, sheet SD.1 dated May 12, 2020, application dated May 13, 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 give 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 Ms. Branson and seconded by Mr. Bedini, 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 (09:07):**

This discussion was tabled until the next regularly scheduled IWC Meeting on August 12, 2020, at 7 pm.

**Town of Washington/11 School St/Request for Modification to Permit #IW-20-28/Add underground electrical conduit buried a minimum of 6" (09:15):**

Mr. Hammond from the Town of Washington Parks and Recreation Commission was present.

Mr. Papsin asked if the Commissioners had time to go visit the site and if they had any comments or questions.

Mr. Gendron stated that he noticed the large amount of water that comes down from school street above this area.

Mr. Papsin stated that he was concerned about digging 6" down into the ground to lay the gravel bed for the proposed shed and would like Mr. Smith, the Town Engineer, to check the feasibility of digging this area out. Mr. Bedini and Ms. Branson agreed with Mr. Papsin.

It was noted that the location of the proposed conduit is marked at the site as going from the back corner of the Pavilion to the front corner of the proposed shed.

Mr. Hammond informed the Commissioners that Mr. Smith and the Highway Department are going to be installing the gravel pad which needs to be 6 inches deep to provide stability for the shed.

Mr. Papsin stated that he agrees that the gravel pad is necessary but does not feel that the dirt should be cut out of the area because it is fairly level. He suggested putting a landscape fabric down and then the gravel pad as this location is in a flood zone.

Mr. Hammond informed the Commissioners that he discussed this option with Mr. Smith. Mr. Smith did not think this would keep the gravel contained and therefore would not be a stable base for the shed.

There was a brief discussion regarding the slabs that were poured for the existing structures. A possible alternative such as building a box of pressure treated wood in order to contain the 6 inches of gravel for the base was mentioned.

Mr. Hammond confirmed that they are proposing a cabinet for flammable materials inside the proposed shed.

Mr. Tsacoyannis, WEO, feels that the Building Department should be able to address any concerns regarding the stability of placing this proposed shed in a flood zone.

There was a brief discussion regarding setting the proposed structure 1 foot above the flood zone elevation. The IWC requested that the Town contact the Building Department to confirm the placement and location of the shed in the flood zone and obtain something in writing that states it meets the requirements.

**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" (19:40):**

Mr. Neff, P.E. was present.

The Commissioners stated that they were comfortable with the information they have received for this application and have no further questions.

**MOTION:** To approve the application submitted by Brian E. Neff, P.E. for Malle at 35 Potash Hill Road for a modification to Permit #IW-20-12 for two additional well sites, substitution of previously approved trees, installation of submersible irrigation pump, and approval of "Irrigation Sprinkler Plan," per the application dated 6-30-2020, accompanying documentation and copy of map titled "Site Plan Irrigation Sprinkler Plan" with hand drawn sprinkler locations prepared for Bergen Residence by Deborah Nevins & Associates, sheet L001 and the map titled "Site Plan" prepared for Bergen Residence by Deborah Nevins & Associates, Sheet L001 with "revision 3" date of 06-10-2020. 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 give 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. Bedini and seconded by Ms. Branson, passed by 5-0 vote.

**New Applications to be Received by the Commission (23:16)**

**Waldron/246 New Milford Turnpike/Application for Permit #IW-20-35/to install septic holding tank within review area:**

This application was accepted as complete and a Site Inspection was scheduled for Tuesday, July 28, 2020, at 4 pm. The Commission asked that the location of the holding tank be staked out before the inspection.

**Hardee/36 Juniper Meadow Rd/Application for Permit #IW-20-36/to cut down dead trees in wetlands:**

The Commission accepted this application as complete and will discuss at the August 12, 2020, meeting.

**A.H. Howland for TFCPS, LLC/270 Nettleton Hollow Rd/Application for Exemption #IW-20-39/to construct two farm buildings, subsurface sewage Disposal System, well, grading, drainage system and other related appurtenances for grazing, farming, etc  
&**

**A.H. Howland for TFCPS, LLC/270 Nettleton Hollow Rd/Application for Permit #IW-20-38/to construct 3 intermittent watercourse crossings and driveway:**

The Commission accepted these applications as complete and scheduled a Site Inspection for Tuesday, July 28, 2020 at 5 pm.

**Other Business**

There was no other business to discuss.

**Enforcement:**

**Enforcement Activity Report (27:18):**

Mr. Tsacoyannis review his report with the Commissioners:

- 77 West Morris Rd – The property owners are interested in fixing the breached dam at Romford Pond and he would assist them in the process and advised that they coordinate with DEEP first and then it will come the IWC.

**Administrative Business:**

There was no administrative business to discuss.

**Communications:**

**Letter dated 7-7-2020 to N. Tsacoyannis from A. Cohen & A Young, RE: Citation #2020-06-15; 06-15-2020 – Letter dated 6-25-2020 (30:30):**

Ms. White read the letter into the record.

Mr. Papsin stated that it is the homeowner's responsibility to make sure that all pertinent permits are acquired before work is done.

There was a brief discussion regarding how to inform property owners. It was mentioned that there is a book

**Adjournment:**

**MOTION:** To adjourn at 7:50 pm by Mr. Papsin, passed unanimously.

Respectfully Submitted,



Shelley White, Land Use Administrator  
July 29, 2020