

Inland Wetlands Commission

Regular Meeting

MINUTES

November 24, 2020

7:00 p.m.

Via Zoom Video Conference

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

Staff Present: Ms. White, Mr. Tsacoyannis

Public Present: Mr. Szymanski, Mr. O'Connor, Members of the Public

Call to Order:

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

Members Seated: Mr. Papsin, Mr. Bennett, Ms. Branson, Mr. LaMuniere, Mr. Gendron

Mr. Papsin announced that he received a note from Mr. Bedini stating that he would like to step away from his duties as a commissioner on the Town of Washington Inland Wetlands Commission. He notified First Selectman Brinton who confirmed Mr. Gendron in Mr. Bedini's position as a full commissioner.

Mr. Papsin acknowledged the extensive volunteer work Mr. Bedini has done for the Town of Washington. He stated that Mr. Bedini has been his mentor for almost 12 years and he is grateful, beyond words, for his guidance in leading the Inland Wetlands Commission for years in addition to his other responsibilities that he voluntarily took on for the Town, much of which has been kept quiet.

Mr. Papsin asked that everyone thank Mr. Bedini for his unwavering dedication to the tasks he has undertaken. He expressed that he was honored to serve with a man with such honor, integrity and intelligence and he looks forward to possibly continuing to work with Mr. Bedini as a Commissioner Emeritus.

Everyone present joined Mr. Papsin in thanking Mr. Bedini for his service to the IWC and the Town.

Consideration of the Minutes (03:02):

Regular Meeting Minutes: 11-10-2020:

Motion: To approve the Regular Meeting Minutes: 11-10-2020, by Mr. Bennett, seconded by Mr. LaMuniere, passed by 5-0 vote.

Special Meeting Minutes: 11-18-2020 – Site Inspection Report Submitted by L. Gendron – Colville for Lawlor/71 West Shore Rd/Application for Permit #IW-20-64:

Motion: To approve the Special Meeting Minutes: 11-18-2020 – Site Inspection Report Submitted by L. Gendron – Colville for Lawlor/71 West Shore Rd/Application for Permit #IW-20-64, by Mr. Bennett, seconded by Mr. LaMuniere, passed by 5-0 vote.

Special Meeting Minutes: 11-18-2020 – Site Inspection Report Submitted by S. Branson - A.H. Howland & Associates for Harris/181 West Shore Rd/Application for Permit #IW-20-65:

Motion: To approve the Special Meeting Minutes: 11-18-2020 – Site Inspection Report Submitted by S. Branson - A.H. Howland & Associates for Harris/181 West Shore Rd/Application for Permit #IW-20-65, by Mr. LaMuniere, seconded by Mr. Bennett, passed by 5-0 vote.

Subsequent Business (04:20):

Motion: To add subsequent business to the agenda under **V. New Applications**, **A. Kassis/16 West Mountain Rd/Application to request Exemption #IW-20-67E/Farming activity for xmas tree farm and pond**, by Ms. Branson, seconded by Mr. Bennett, passed by 5-0 vote.

Pending Applications:

Colville for Lawlor/71 West Shore Rd/Application for Permit #IW-20-64/to replace existing stone wall along lake, fill in old steps, construct new steps, remove and repave parking area at house, remove stone steps and porch at side entrance, build stonewall for erosion control within review area (5:53):
No one was present to represent the property owner for this application.

Ms. White asked if all the Commissioners received the construction sequence for the projects. The Commissioners confirmed and noted that the site inspection and the submission of the construction sequences of all the projects have answered any questions they would have had.

Motion: To approve the application submitted by Colville for Lawlor at 71 West Shore Road for Permit #IW-20-64 to raise existing stone wall at lake edge & add wood fencing on top, fill in existing stone steps, add new steps from dock to parking area, remove existing asphalt drive and repave, remove existing stone steps and patio on east side of house, replace with graded stone/cement material, remove small stone wall below steps and rebuild within review area per the application (a, b, c & d) dated 10-21-2020, accompanying photographs, drawings and documentation, survey maps titled “Property Boundary Survey” prepared for Mary Elizabeth Lawlor, dated August, 2020, by T. Michael Alex L.S. This permit is valid for two (2) years and is subject to the following conditions: 1. that the Land Use Office be notified 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 to the Commission for review. In considering this application, the Commission has determined that no feasible and prudent alternatives exist and believe that there is no reasonable probability of significant adverse impact on any wetlands or watercourses, by Mr. Gendron, seconded by Ms. Branson, passed by 5-0 vote.

A.H. Howland & Associates for Harris/181 West Shore Rd/Application for Permit #IW-20-65/to build single family home and associated appurtenances within the review area (10:05):

There were no further questions from the Commissioners regarding this application.

Motion: To approve the application submitted by Arthur H. Howland & Associates, PC for Harris at 181 West Shore Rd for Permit #IW-20-65 to construct a single family dwelling, in ground pool and associated appurtenances within review area per the maps titled "Proposed Site Development Plan" WET.1, revised 11-20-2020, "Detail Sheet" sheet D.1, dated 11-20-2020 prepared for Jonathan Harris by Arthur H. Howland and Associates, PC, as well as the permit application signed by property owner and dated 10-31-2020 with supporting documents, this permit is valid for two (2) years with the following conditions: 1. that the Land Use Office be notified 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 a 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 to the Commission for review. In considering this application, the Commission has determined that no feasible and prudent alternatives exist and believe that there is no reasonable probability of significant adverse impact on any wetlands or watercourses, by Ms. Branson, seconded by Mr. LaMuniere, passed by 5-0 vote.

New Applications:

Kassis/16 West Mountain Rd/Application to request Exemption #IW-20-67E/Farming activity for xmas tree farm and pond (13:10):

The IWC accepted this application and a site inspection was scheduled for Wednesday, December 2, 2020, at 3:30.

The IWC requested that the location of the pond be marked.

Other Business:

Discussion of Counsel's recommendations on proposed amendment of the IWC Motion of Approval (14:54):

The Commissioners received the feedback from Counsel and reviewed the proposed amendments.

After a lengthy discussion, the Commissioners agreed to the following language for the IWC Motion Approval.

Motion: to amend #3 of the conditions under the "Motion of Approval" template to: "The approval of this permit is conditioned upon the performance and completion of all proposed activities and/or improvements in totality to the satisfaction of the Inland Wetlands Commission. There shall not be any modification of any kind to the plans and/or scope/sequence of the proposed activities and/or improvements shown on the approved plans without prior approval of the Inland Wetlands Commission or its designee." And the concluding paragraph: "In approving this application to conduct a regulated activity(s), the Commission has determined that no feasible and prudent alternatives exist and believe that there is no reasonable probability of significant adverse impact on any wetlands or watercourses." by Mr. Bennett, seconded by Ms. Branson, passed by 5-0 vote.

Enforcement (47:20):

Enforcement Activity Report & List of Files Closed by WEO – Projects Signed Off as Completed Per Approved Permit:

Mr. Tsacoyannis reviewed his staff report:

● 99 West Shore Rd: Hearing still needs to be schedule for Mr. Howard to appeal the fine.

● 25 West Shore Rd: Mr. Tsacoyannis stated that he has not heard from the First Selectman regarding the possible fine but will update the IWC when he does.

● 24 Sabbaday Rd: WEO informed the IWC that he needs to follow up with the property owners.

Mr. Tsacoyannis noted that no permits were closed since the last meeting and there was one Administrative Approval.

● 28 Tinker Hill Rd: WEO is continuing to monitor the work and has observed that the front yard is finished. They are still doing some work on the West Shore Rd side of the site.

● 60 River Rd: Continuing work on the barn, the property owner is following the planting plan that he submitted and is aware that he needs to come before the IWC to get his farming exemption.

● 61 Barnes Rd: WEO continues to monitor the Steep Rock Association's work at the site.

● 90 Tinker Hill Rd: The WEO stated that he still needs to follow up with the property owner to request the as-built.

Administrative:

There was no administrative business to discuss.

Communications:

There were no communications to discuss.

Adjournment:

Motion: to adjourn the meeting at 8:00 pm, by Mr. Bennett.

Respectfully Submitted,



Shelley White
Land Use Administrator
December 1, 2020