

Inland Wetlands Commission

Regular Meeting

MINUTES

February 24, 2021

7:00 p.m.

Via Zoom Video Conference

Members Present: Mr. Papsin, Mr. Lamuniere, Mr. Bennett, Ms. Branson, Mr. Gendron

Staff Present: Ms. White, Mr. Tsacoyannis

Public Present: Mr. el Aguizy, Mr. & Mrs. Sheikh, Mr. Scovatto, Ms. Solomon

Call to Order:

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

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

Consideration of the Minutes (0:18):

Regular Meeting Minutes: 02-10-21:

Motion: To approve the Regular Meeting Minutes: 02-10-2021, by Mr. LaMuniere, seconded by Ms. Branson, passed by 5-0 vote.

Subsequent Business (00:54):

There was no subsequent business to add to the agenda.

Pending Applications:

**Continued – Kassis/4, 6,16 West Mountain Rd/Application to request Exemption #IW-20-67E/
Christmas Tree Farm and pond (01:00):**

Mr. Kassis still is waiting for the survey.

**el Aguizy-Binnie/35 South St/Application for Permit #IW-21-07/Relocation of pool equipment shed
and remove invasives within review area (1:08):**

Mr. el Aguizy, Property Owner and Mr. Scovatto, Landscape Contractor, were present to discuss this application.

Mr. Scovatto, Blue Spade Landscaping, discussed the method in which he proposes to remove the invasive plants within the upland review area. He explained that he would use a mini excavator around the intermittent streams and wetland area to remove the invasive bushes because it is the most efficient way to break through the soil and get all of the roots. He noted that the machine is small and does not have a lot of ground pressure. Mr. Scovatto stated that they would like to start the work within the next couple weeks pending approval.

Mr. LaMuniere requested that the wetland pocket located in the southeast corner of the property be protected with silt fence.

Mr. el Aguizy displayed a photo of some of the area in which the removal of invasives are being proposed. He noted that their goal is to control the invasives and limit the tick population.

Mr. Bennett noted that there seems to be mostly brush in the areas of the intermittent streams and not trees.

Ms. Branson expressed concern that there will be too much ground disturbance by the intermittent streams.

Mr. Scovatto responded that there is a 12" bucket on the mini excavator which is essential the width of a hand shovel. He explained that the roots come out pretty clean, they shake off any dirt and tamp the ground down. There will be no filling, grading, or raking.

Mr. el Aguizy explained that the invasive plants are primarily located along the perimeter wall, which is not in the upland review area, the two intermittent streams, southwest portion of the property and a small pocket in the northwest portion of the property, which is also not in the URA. He noted that the intermittent streams flow east to west away from the fenced in area.

The Commission discussed their concerns about mechanically removing the invasive plants along the intermittent streams and felt more comfortable if a hand pulling method were to be used in these areas. They requested that these areas be marked out for the Wetlands Enforcement Officer to evaluate before the work commences. The Enforcement Officer will determine how far out from the intermittent streams that hand pulling would be necessary. It was noted that the mini excavator could be used in the other areas.

Motion: To approve the application submitted by el Aguizy/Binnie at 35 South Street for Permit #IW-21-08 to move pool equipment shed and remove invasive plants within review area per the plan titled "Topography Survey," prepared for Tarek el Aguizy by T. Michael Alex L.S. dated April 2020 with hand drawn existing and proposed locations of the pool equipment shed and ingress/egress path for the mini excavator, as well as the permit application signed by property owner and dated 2-01-2021 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 gives the contractor copies of both the motion of approval and approved plans prior to the commencement of work, 3. 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, 4. That the Enforcement Officer meets with the contractor and property owner to determine the distance on either side of the intermittent stream where only hand pulling of invasive plantings will be allowed and, 5. These areas should be marked with the information documented and included for the record with this permit. 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 4. Property owner shall

inform the Wetlands Enforcement Officer if the pine tree by the pool will be removed. In approving this application, the Commission has considered all of the relevant criteria pursuant to Sections 11.02, 11A and 12.08 of the Inland Wetlands and Watercourse Regulations and finds that the proposed regulated activities as presented on the plans and conditioned herein, are not reasonably likely to lead to significant adverse impacts on any wetlands and watercourses, by Mr. LaMuniere, seconded by Ms. Branson, passed by 5-0 vote.

New Applications:

Sheikh/68 Painter Ridge Rd/Application for Permit #IW-21-10/Construction of an addition within review area (30:08):

The IWC accepted the application as complete and scheduled a Site Inspection for Wednesday, March 3, 2021 at 3:00 pm.

Other Business (31:32):

There was no other business to discuss.

Enforcement (31:36):

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

- 25 West Shore Rd: IW Application has been submitted and fine has been paid.
- 28 Tinker Hill Rd: Fine check has been received
- 6 West Mountain Rd: Property owner is waiting for survey to present to the IWC
- 60 River Rd: Structures are almost finished. Property owner knows that if they choose to exercise their exemption they must come to the Commission before moving forward.
- 90 Tinker Hill Rd: EO stated that he will reach out to the property owner.
- 101 Wykeham Rd: EO informed the IWC that there was some tree clearing taking place at 23 Bell Hill Rd and the contractor used the 101 Wykeham Rd property Bell Hill Rd driveway to access the clearing area. Mr. Tsacoyannis stated that he notified the contractor and informed them that they would be fined and would have to submit an after-the-fact permit for clearing trees on the 101 Wykeham Rd property. He stated that the contractor is using a GPS to make sure they are not doing any work on the 101 Wykeham property. The IWC informed him that more trees were being removed today. Mr. Tsacoyannis stated that he would visit the site tomorrow.
- 90 Tinker Hill Rd cont.: The IWC discussed attaching notice to the land records. The IWC feels a certified return receipt letter should be sent to the property owner stating that there is an open permit which has expired and the IWC needs to visit and determine the status of the property. Mr. LaMuniere feels that a third party should review what was approved with the permit and actually what was done. Ms. White stated that she would contact counsel to confirm the process and who would have to pay for the third party review. Mr. Tsacoyannis stated that he would send the property owner a certified letter

Administrative:

There was no administrative business to discuss.

Communications:

There were no communications to discuss.

Adjournment:

Motion: to adjourn the meeting at 7:56 pm, by Mr. Papsin.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Shelley White", is positioned above the printed name.

Shelley White
Land Use Administrator
March 3, 2021