

Inland Wetlands Commission

Regular Meeting

MINUTES

May 12, 2021

7:00 p.m.

Via Zoom Video Conference

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

Staff Present: Ms. White, Mr. Tsacoyannis

Public Present: Mr. Willenbrock, Mr. Szymanski, Ms. Williams, Mr. Rohrer, Members of the Public

Call to Order:

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

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

Consideration of the Minutes (0:22):

Regular Meeting Minutes: 04-28-21:

Amendments: Pg. 1, Under Call to Order should read: "Mr. Papsin called the meeting to order..."

Motion: To approve the Regular Meeting Minutes: 04-28-2021 as amended, by Ms. Branson, seconded by Mr. Gendron, passed by 5-0 vote.

Special Meeting Minutes: 05-04-2021 Site Inspection Report submitted by J Audet for Applications for Permit #IW-21-24 – 76 Shearer Rd & Permit #IW-21-25 – 106 Shearer Rd:

Motion: To approve the Special Meeting Minutes: 05-04-2021 Site Inspection Report submitted by J. Audet for Applications for Permit #IW-21-24 – 76 Shearer Rd & Permit #IW-21-25 – 106 Shearer Rd, by Ms. Branson, seconded by Mr. Bennett, passed by 5-0 vote.

Special Meeting Minutes: 05-05-2021 Site Inspection Report submitted by L. Gendron for Application for Modification to Permit #IW-20-55 – 23 Loomarwick Rd:

Motion: To approve the Special Meeting Minutes: 05-05-2021 Site Inspection Report submitted by L. Gendron for Application for Modification to Permit #IW-20-55 – 23 Loomarwick Rd, by Mr. Bennett, seconded by Mr. LaMuniere, passed by 5-0 vote.

Special Meeting Minutes: 05-05-2021 Site Inspection Report submitted by C. Lamuniere Application for Permit #IW-21-31 – 329 West Shore Rd:

Motion: To approve the Special Meeting Minutes: 05-05-2021 Site Inspection Report submitted by C. Lamuniere Application for Permit #IW-21-31 – 329 West Shore Rd, by Mr. Gendron, seconded by MR. Bennett, passed by 5-0 vote.

Subsequent Business (03:30):

None to add

Pending Applications:**DEW Construction for Meyer/76 Shearer Rd/Application for Permit #IW-21-24/Pond Dredging (03:53):**

Mr. Willenbrock was present to represent the property owner.

The IWC were able to review the project narrative with work sequence that was submitted earlier this afternoon and had no further questions.

Motion: To approve the application submitted by DEW Construction, authorized agent for Meyer at 76 Shearer Road for Permit #IW-21-24 for the dredging of the pond per: 1. the application dated March 22, 2021, 2. accompanying aerial photo with stock pile location and anti-tracking pad titled "Detail of pond to be dredged...", 3. Project narrative with work sequence submitted May 12, 2021 and, 4. The application signed by Audrey Meyer and dated 12-8-20 and accompanying documents. This permit is valid for Five (5) 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. 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. 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. LaMunier, seconded by Ms. Branson, passed by 5-0 vote.

DEW Construction for Meyer/106 Shearer Rd/Application for Permit #IW-21-25/Remove invasive plants in pond, remove stairs create path with stone landings in URA (7:00):

Mr. Willenbrock was present to represent the property owner for this application.

It was confirmed that a letter stating that the conservation easement holder, Steep Rock Association, was emailed to Ms. White.

There was a brief discussion regarding the temporary benches shown on the plan. Ms. Branson stated that, at the site visit, the IWC stated that they would prefer that the benches remain as to prevent any further soil disturbance. Mr. Willenbrock stated that the property owners would be amenable to keeping the benches in place.

Motion: To approve the application submitted by DEW Construction, authorized agent for Meyer at 106 Shearer Road for Permit #IW-21-25 to remove existing stairs and create path with stone landings, plantings and install permanent wooden benches within the URA per: 1. hand drawn map titled "Sketch of Proposed Path" dated April 28, 2021 prepared for Meyer Residence, 106 Shearer Rd, 2. Project Narration dated May 12, 2021, and 3. the application signed by Audrey Meyer and dated 12-08-2020 with accompanying documentation, this permit is valid for five (5) 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, and 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. 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. 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 Ms. Branson, seconded by Mr. LaMuniere, passed by 5-0 vote.

LGA Holdings/23 Loomarwick Rd/Application to Modify Permit #IW-20-55/Addition of Landscaping-Planting plan (14:52):

Ms. Williams, property owner was present to discuss this application.

There was a brief discussion regarding the height of the proposed wall. Ms. White noted that this modification is only for the addition of a planting plan and the property owner would have to apply for a separate modification if the approved wall were to change in height.

Motion: To approve the modification requested by LGA Holdings at 23 Loomarwick Rd to Permit #IW-20-55 for the addition of a planting plan in the URA per "Planting Plan" by Beth Whitty submitted 04-07-2021 and Planting Plan list received 05-12-2021, as well as the modification application signed by property owner and dated 04-07-2021 with supporting documents, this permit is valid for two (2) years from the original approval date of 10-28-2020, 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, and 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. 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. 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. Bennett seconded by Ms. Branson, passed by 5-0 vote.

A. H. Howland & Assoc. for Auth & Hanifan/329 West Shore Rd/Application for Permit #IW-21-31/demolish existing SFD and driveway in partially in the URA, build new SFD (outside of URA), reconfigure driveway, & build barn partially in URA (19:48):

Mr. Szymanski was present to represent the property owner for this application.

The IWC stated that the site inspection brought up questions that Mr. Szymanski has addressed on the revised "Proposed Sanitary Disposal System Plan."

Motion: To approve the application submitted by A. H. Howland for Auth & Hanifan at 329 West Shore Road for Permit #IW-21-31 to demolish existing single family dwelling and driveway partially in the URA, build new SFD (outside of the URA), reconfigure driveway and build barn partially in the URA per the map title "Proposed Sanitary Disposal System Plan," prepared for Thomas Auth & Karee A. Hanifan, by A. H. Howland and Associates, PC with a revision date of 05-11-2021 and the permit application signed by property owners and dated 04-20-21, 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. 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. 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. Bennett seconded by Mr. LaMunier, passed by 5-0 vote.

New Applications (25:42):

The Commission accepted the following applications:

Habitat for Humanity/7 Mygatt Rd/Application for Permit #IW-21-35/Renew expired permit for construction of 7 affordable single family dwellings up-gradient of URA and watercourse:

Mr. Rohrer of Habitat for Humanity was present to represent this application.

The IWC scheduled a site inspection for Tuesday, May 18 at 4pm.

Other Business (28:33):

There was no other business to discuss.

Ms. White informed the Commissioners that Mr. Kassis did not have all of his information together to present to the IWC so he would not be presenting anything tonight.

Ms. White will ask Mr. Kassis for a timeline of development for the proposed farm. She noted that everything Mr. Kassis submits should be reviewed by counsel.

Enforcement (38:34):

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

See Attachment A

- 135 Wykeham Rd – EO will reach out to property owner – need "after the fact" application to be submitted

IWC Mtg 05-12-21

- 102 East St – EO will reach out to Engineer this week to check status.
- 183 West Shore Rd- Activity occurred in the URA over the weekend. The EO checked into it and found that the property owner had been granted a permit for the swale and ditch in October of 2017. Due to recent weather events the silt and materials came over the swale and diverted into the neighboring property. The property owner had landscaper come over to fix the problem. The EO read the minutes from when the permit was approved and a maintenance and planting plan were recommended but he could not find one on file. He feels that this is a maintenance issue. The Commissioner discussed whether this activity in the URA should require the submission of a new permit application. They concluded that they would like the EO to request a maintenance plan from the property owner if there is not one on file.
- 135 New Preston Hill Rd – Boulders have been removed from around the pond. EO will follow up with property owner and request an after the fact permit.
- 4 New Preston Hill Rd- It was noted that scaffolding was in the river. The EO stated that he has been monitoring the activity. The scaffolding is secured to the building and there is no disturbance in the river bed. The IWC agreed a permit would not be necessary.

Administrative:

There was no administrative business to discuss.

Communications:

Adjournment:

Motion: to adjourn the meeting at 8:05 pm, by Mr. Papsin.

Respectfully Submitted,



Shelley White

Land Use Administrator

May 18, 2021

Revised May 20, 2021



TOWN OF WASHINGTON

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Inland Wetlands
Commission

TO: Members of the Inland Wetlands Commission
FROM: Nicholas Tsacoyannis, Wetlands Enforcement Officer
RE: Regular Staff Report
DATE: Wednesday, May 12, 2021

ENFORCEMENT STATUS

- Ivan Hernandez & Douglas Bray / **135 Wykeham Road** / SAME
Work in URA – straighten driveway, move away from inland wetlands soils, and redo parking area. \$150 fine paid.
- Marc Roman & Holly Parker / **102 East Street** / NEW
Inland Wetlands Soils disturbed; machinery driven through stream. First offense, work in wetlands, \$500 fine. Fine letter received. Waiting for restoration plan from engineer and IWC application.

PERMITS CLOSED – Work Completed Per Permit

- Steep Rock / **185 Tunnel Road** / IW-19-15 / Stabilization of campsite river bank.

AGENT APPROVALS – Work Authorized by Wetlands Enforcement Officer

- D. Scott Mackesy / **233 West Shore Road** / IW-21-31 / Remove dead tree in URA
- Aquarian Water Company / **12 Bell Hill Road** / IW-21-?? / Construction of a new 22' x 38' well station, the installation of new atmospheric water storage tanks, and other associated site and safety improvements. Removal of old well station and old tanks.
- Charles La Muniere / **7 Barnes Road** / IW-20-66 / Modification / Remove dead tree and leave stump.

INSPECTION NOTES

Review Site Visit Spreadsheet for detailed inspection observations (**BOLD** indicates Wetlands Site). Site visit spreadsheet to be distributed monthly at 2nd meeting.

COMPLAINTS RECEIVED

See Spreadsheet for all complaints.

NOTES ON SPECIFIC SITES

- **60 River Road / Haestad** – Construction work on the barn continues, foundation complete, frame complete.
- **90 Tinker Hill Road / Bazos** – The Land Use Department received an email from Dr. Bazos on February 28, 2021 stating that he will have done what is needed for the IWC to determine whether or not the bond can be returned. Paul Szymanski was given the pre-work site conditions survey and the plan that was approved by the IWC. Paul will have an existing, post-work, conditions survey completed and will provide a list of differences.
- **101 Wykeham Road / Klauer** – Two lawsuits that were denied have been appealed, The Land Use Department expects that work (demo and/or construction) will take place after a decision has been made on the appeals.
- **183 West Shore Road** - 5/9 - (1901 hrs) - Complaint that work is taking place in the URA. 5/10 (1200 hrs) - checked IWC file, permit from Oct 2017 expired in 2019. Spoke to Joe Bennett about the site and he mentioned that work he was doing was "maintenance". The area between the road and approved swale had filled in with sediments and as a result was draining in the wrong direction and flowing onto the neighbor's driveway. All plantings were removed, the area between the road and swale was deepened and plantings were being placed back in the same locations.

Respectfully Submitted,



Nicholas Tsacoyannis