

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

7:00 p.m.

Zoom Video Conference

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

Staff Present: Ms. White, Mr. Tsacoyannis

Also Present: Mr. Szymanski, Mr. Angell, Mr. Tobin, Mr. Charles

Call to Order:

Mr. Papsin called the meeting to order at 7:00 pm.

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

Consideration of the Minutes (00:24):

Regular Meeting Minutes: 3-25-2020:

The Commissioners considered the March 25, 2020, Regular Meeting Minutes: Pg. 4, end of first paragraph, **should read: "as soon as possible"**

MOTION: To approve the March 25, 2020, Regular Meeting Minutes as amended, by Mr. Bedini, seconded by Mr. Bennett, passed 5-0 vote.

Special Meeting Minutes: – Site Visit at Bergen/35 Potash Hill Rd/Application for Permit #IW-20-12:

MOTION: To approve the April 1, 2020, Special Meeting Minutes for Site Visit at 35 Potash Hill Rd/Application for Permit #IW-20-12 as submitted, by Ms. Branson, seconded by Mr. LaMuniere, passed 5-0 vote.

Subsequent Business (00:00):

There was no subsequent business to add to the agenda.

Pending Applications:

Bergen/35 Potash Hill Rd/Application for Permit #IW-20-12/Installation of pond aeration pump & landscape plantings (01:30):

Ms. White informed the Commission that the revised planting plans were not ready for tonight and the applicant requested the discussion to be tabled. The Commission tabled this discussion until the next regularly scheduled meeting on April 22, 2020, at 7:00 pm.

New Applications:

Arthur H. Howland & Associates for Angelo/82 Baldwin Hill Road/Application for Permit #IW-20-14/ Demolition and construction of residence and garage within the existing footprint and regrading existing manmade pond (01:57):

The Commission accepted this application and scheduled a site visit for Wednesday, April 15, 2020, at 3:30 pm.

Angell/47 West Shore Road/Application for Modification to Permit #IW-18-24/Remove existing terrace, restore the natural shoreline, install new 50% stone, 50% grass sitting area, steps & plantings (04:04):

It was confirmed that none of the approved work under permit #IW-18-24 has been done.

The Commission scheduled a site visit for Wednesday, April 15, 2020, at 4:30 and requested that the sitting area be delineated on-site for the Commissioners to observe. Mr. Angell agreed to this mutually convenient time.

Mr. Angell noted that this modification is just to move the top stones to make it a 50/50 pervious to impervious sitting area. Everything else that was approved under permit IW-18-24 is to remain the same. He explained that he sent a copy of the application to request a Modification to Permit #IW-18-24 with supporting documents to the Lake Waramaug Association. The modification does not encroach the LWA easement. The Lake Waramaug Association submitted a letter to the Inland Wetlands Commission to confirm that this modification does not encroach their easement.

There was a brief discussion regarding the letter from the LWA dated April 7, 2020, to the IWC and the Commission feels that the request of an A-2 Survey of the entire property is a subject that should be addressed between the property owner and the Association and is not part of this request for modification process through the IWC. If there are any violations of the easement agreement that would be between the Lake Waramaug Association and the property owner.

The Commissioners agreed that the site walk would be beneficial and they would continue this discussion at the next regularly scheduled IWC meeting on the 22nd.

Tobin for Donovan/127 West Shore Rd/Application for Permit # IW-20-15/to build shed within the review area (21:07):

Mr. Tobin was in attendance to represent the property owners of 127 West Shore Rd.

The Commission scheduled a site visit for Wednesday, April 15, 2020, at 5:00 pm and Mr. Tobin stated that he would be available.

Enforcement:

Enforcement Activity Report (25:00):

Mr. Tsacoyannis review his report with the Commissioners:

- 52 River Rd: Mr. LaMuniere asked Mr. Tsacoyannis to check on this property because he saw that leaves were being blown into the river. The E.O. went to the property and the activity stop. The Commission would like the planting plan for the upland review area. They asked that the E.O. send a letter to the property owner requesting that the plan be submitted before the next meeting on April 22nd.
- 47 West Shore: Mr. Tsacoyannis stated that he felt the focus had been diverted and that this is an application for a modification to a granted permit. He noted that this modification is only a change in the design of the sitting area everything has already been approved and this is an improved more efficient design with the 50/50 pervious to impervious layout of the stones.

Mr. Bennett stated that there was an approved permit for this property which resulted in a violation, after which a notice of violation should have been issued to remove the terrace, and now there is a modification of the approved permit.

Mr. Papsin stated that this request for modification is to the approved permit that was applied for under an application to correct a violation.

Mr. Tsacoyannis stated that the seating area is the only thing that will be modified as it will not be considered a structure with half of the surface being permeable. He noted that the original permit does not expire until June.

Ms. White noted that the plan that was part of the approved permit granted by the IWC was not approved by the ZBA and that is why it is being modified.

•**27 West Shore Rd:** The E.O. stated that he would go out to the property tomorrow with a cease and desist order regarding the building of a boathouse. He stated that he has not found any permit for this structure. It was noted that hay bales have been temporarily placed until they can stabilize the area.

•**169 West Shore Rd:** E.O. will pursue receipt of a planting plan for the permit issued after the fact earlier this year.

•**90 Tinker Hill Rd:** Mr. Tsacoyannis stated that the dock design that was attached to Mr. Bazos' application is not part of his property. He continued to explain that the property owner did deviate from his approved plan by doing less than what was approved. The rain gardens were not installed and the IWC needs to decide whether this is necessary.

Mr. Papsin suggested a third party look at the plan and confirm whether what was done versus what was approved is okay or not.

Mr. Bedini recalls that the initial discussion found that the two rain gardens were deemed necessary to ameliorate any drainage that was running down the slope.

It was noted that the property owner would be charged for the services of the third party. Ms. White will get an estimate from LandTech and send it to Mr. Bazos and it would be his option to pursue obtaining his own estimate if he did not agree with the one presented to him by the Land Use Office. Ms. White stated that she will inform Mr. Bazos of how the IWC would like to proceed.

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 8:31 pm by Mr. LaMuniere, passed unanimously.

Respectfully Submitted,

Shelley White, Land Use Administrator

April 15, 2020