

July 9, 2008

Members Present: Mr. Bedini, Mr. LaMuniere, Mr. Picton, Mrs. Hill, Mr. Thomson

Alternates Present: Mr. Wadelton

Alternates Absent: Mr. Bohan

Staff Present: Mr. Ajello, Mrs. Osborne

Staff on Vacation: Mrs. J. Hill

Also Present: Paul Symanski, Devin O'Neil, Brian Neff, Gene McNamara, Peter Herbst Esq., Michael Klein, Kim Barbieri, Kelly Boling, Chris Charles, David Wilson,

Mr. Picton called the meeting to order at 7:00pm, he seated Members Bedini, LaMuniere, Hill, himself and alternate Wadelton for Mr. Thomson.

MOTION: to add the following subsequent business not already posted on the agenda: New Applications: Donovan/53 Kinney Hill Road/Construct Dwelling, Slaymaker/17 Sunset Lane/Reconstruct Dwelling, Brown/115 Shearer Road/Construct Driveway w/crossing, Camp Windguage LLP/24 Old North Road/Construct Driveway w/crossing Other Business: Fowler/138 Nichols Hill Road/Request to file release on Land Records, Aragi/Wilbur Road/ Request for return of Consultant's bond Enforcement: Rubler/240 Wykeham Road/Unauthorized clear cutting. By Mr. Bedini, seconded by Mrs. Hill, passed 5-0.

Consideration of the minutes:

The following amendments were made to the minutes of the June 11, 2008 Regular Meeting:

Page 6: line 21 replace verses with versus

Page 9: line 14 to read increases in developed coverage that would be permitted per the

Page 9: line 44 to read affects the temperature of surface water which supplies wetlands. Mr. Ajello thought that

Page 10: line 15 replace contractor with owner

Page 10: line 26 to read shoreline if steps did not go down to the high-water or wave line. It was noted that a revision to the original permit

Page 12: line 18 and 25/26 replace Mrs. Hill with Mrs. J. Hill.

MOTION: to accept the minutes of the June 11, 2008 Regular Meeting as amended. By Mr. Bedini, seconded by Mrs. Hill, passed 5-0.

Not all members had read the minutes from the June 17, 2008 site inspection for the Town of Washington, so Mr. Picton read them into the record.

MOTION: to accept the minutes of the June 17, 2008 site inspection for the Town of Washington. By Mr. Bedini, seconded by Mr. Picton, passed 5-0.

Pending Application:

Peloquin/1 New Preston Hill Road/#IW-08-30/Correct Violation, Planting.

Mr. Ajello stated that a missing application page has been obtained and the file was now complete. Members talked about the patio being situated within an old foundation and a condition of no more than 50% impervious surfaces upon completion of the proposed.

MOTION: to approve Application #IW-08-30 submitted by Mr. Peloquin, 1 New Preston Hill Road, Correct Violation, Planting as per application and planting plan by Metro Community Builders dated April 18, 2008 on file subject to the condition that there is no more than 50% impervious surface. By Mr. Bedini, seconded by Mr. LaMuniere passed 4-1 with Mrs. Hill abstaining.

Wykeham Rise, LLC/101 Wykeham Road/#IW-08-31/Site Development for Inn.

A Public Hearing is scheduled for Wednesday July 23, 2008 at 7:00pm in the Land Use Meeting Room new information continues to be accepted for the public hearing. Paul Symanski was present stating

that a soil scientist report has been submitted and he is working on addressing issues from both Land Tech Consultants Inc. and concerns from Inland Wetlands Commission members on this project. Mr. Symanski expects to submit a revised plan next week. Mr. Picton asked that Mr. Symanski include any proposed grading changes in his information. Mr. Picton asked members about having an independent environmental consultant look at this proposal, for a more indebt review, perhaps a wetlands ecologist/environmentalist. Mr. Symanski questioned this because Chris Allen assisted with the Land Tech review. Mr. Picton stated that he would like a second opinion to address the substance of Jodie Chase's work and requested suggestions from other members. Mr. Picton read an email (submitted to the file) that he sent to Margie Purnell, Susan Payne and Betsy Corrigan asking about a second opinion and requesting feedback. Mr. LaMuniere suggested asking for further information from Land Tech. It was decided that Mark Picton will contact Malone & McBroom for an estimate. Mr. Symanski asked that the commission find a process that works, he felt that in the past experts hired by the Town don't always agree, which is not fair to either the Town or the applicant. Mr. LaMuniere felt that Land Tech and the commission members have the capacity to handle/formulate questions that need answering. There was brief further discussion on this subject.

Halfon-Albert/40 Plumb Hill Road/#IW-08-32/Renovations, Addition to Dwelling.

Mr. Ajello stated that a soil scientist report was missing from this application, which has since been submitted and the information added to the map.

MOTION: to approve Application #IW-08-32 submitted by Mr. Halfon/Ms. Alpert, 40 Plumb Hill Road, for renovation, addition to dwelling as per property/boundary survey, dated 5/28/2008 by T. Michael Alex submitted. By Mr. LaMuniere, seconded by Mr. Bedini, passed 5-0.

Town of Washington/2 Bryan Paza/#IW-08-36/Remove Invasives, Plant Native Plants.

Mr. Picton noted that this was a thorough plan and there was an obvious need for the invasive eradication.

MOTION: to approve Application #IW-08-36 submitted by the Town of Washington, 2 Bryan Plaza, to remove invasives and plant native plants as per Phase I, Restoration Planting Plan dated April 2008 by Earth Tones Native Plant Nursery & Landscapes submitted. By Mr. Bedini, seconded by Mr. Picton, passed 5-0.

New applications:

Donovan/53 Kinney Hill Road/#IW-08-37/Construct House. Devin O'Neil from Steven Harris Architects, Brian Neff, Engineer, Mark Donovan, owner, Gene McNamara, Environmental Consultant from EMS Assoc. Inc. were present to present this application. Mr. O'Neil began by presenting plans for the proposed house. He pointed out two wetland areas on the map a man-made pond and larger wetlands area. Mr. O'Neil stated that to minimize impact to the land the house will be built on a platform on piers, with footings at grade, so as not to disturb the runoff. The house will be 3700sqft interior, a one story. He noted the unusual shape of the site, stated that there would be no cellar and they would not disrupt the woods leaving it a natural area. Mr. Picton asked about wetland setbacks. Mr. O'Neil answered that 1/3 of the site was wetlands and they would remain untouched. Brian Neff presented a map and outlined proposed work to a culvert drain and catch basin. Mr. Neff stated that the 100' wetlands setback covers the entire site. Gene McNamara presented an Inland Wetland Investigation Environmental Impact Assessment for the site. Mr. McNamara described the site as a forested site with an intermittent water course and man-made pond, there is bulky waste/debris dumped on site. He went on to say the soils are tight; a lot of run off because of lack of infiltration, and he feels that the proposed house on piers will not disturb what exists. Mr. LaMuniere asked that Mr. McNamara submit a sketch map of the various soils. Mr. O'Neil explained that the house platform will be built first and pre-engineered pieces will be placed on the platform, house installation should take about 4-6 weeks. Mr. Neff referenced the proposed sequence of construction explaining the all steel construction.

A site inspection was scheduled for Tuesday July 15, 2008 @ 5:00pm.

At 8:05pm Dave Thomson arrived and remained unseated.

At this time Mark Picton congratulated regular members Tony Bedini and Charles LaMuniere on being reinstated by the Board of Selectmen for another three year term.

Slaymaker/17 Sunset Lane/Reconstruction Dwelling.

Peter Herbst Esq., Robert Slaymaker, owner, Dennis McMorro, Civil Engineer of Berkshire Engineering & Surveying LLC, Michael Klein, Wetlands/Soil Scientist of Environmental Planning Services, Kim Barbieri, Landscape Architect were present to represent this application. Atty. Herbst began stating that they have tried to address/identify concerns with the septic system and wetlands area. They have moved out of the wetlands near the road and abandoned two wells. He went on to say it is a larger house closer to the road with an overall proposed total increase of impervious cover of 3%. The area of development is reduced by 32%. Michael Klein submitted a 6 page document to the file which contained area photos and information. Mr. Klein identified the wetland perimeters, stating that it was a very large wetland area on a hilltop. He explained they had moved the leaching fields and house to the front of the lot and restored the wetlands. Kim Barbieri explained that by moving the development forward they were able to restore the wetlands. Ms. Barbieri referenced her Wetland Mitigation Plan in explaining the multi layer restoration plan, she submitted a Summary of Impacts Existing and Proposed which showed a decrease of 32% in area of development and an increase of 3% in total area of impervious cover. The proposed plan will clear invasives and restore with native species. Mr. Bedini asked about the old septic tank and curtain drain. Mr. Klein and Ms. Barbieri answered that they will be left as is, the curtain drain is ineffective and the tank will be pumped and crushed, fields left as is. Roof run off will be handled by a splash pad or pipe. Mr. LaMuniere commented that the proposed is a significant improvement. Mr. Bedini asked that the demolition of the old house be added to the construction sequence and the roof drains be added to the plan. The proposed house is a two-story 22'x30' structure. A site visit was scheduled for Tuesday July 15, 2008 @ 5:30pm. Mark Picton stated that this was a unique situation, the wetlands mitigation plans look good but it is hard to maintain, permanent markers should be established to define the edge. Ms. Hill asked about the need for a full basement, it was stated that the mechanics/utilities would be housed in the basement and added that there is no proposed garage.

Camp Windguage LLP/24 Old North Road/Construct Driveway w/crossing.

Kelly Boling and Chris Charles of Open Space Equity were present to represent this application. Mr. Boling began by describing the site as a 31 acre parcel that the applicants want to create a 5.3+ acre building lot from. They are proposing a crossing with culvert for access. The proposed culvert is 28' with a seepage envelope. Mr. Bedini asked for alternatives to the wetlands crossing. Mr. Boling stated that the applicants want to maintain the open agricultural lands. A site inspection was scheduled for Tuesday July 22, 2008 @ 5:30pm.

Brown/115 Shearer Road/Construct Driveway w/crossing. David Wilson was present to represent this application. Mr. Wilson stated that access is proposed by right-of-way over the narrowest area of wetlands, the crossing will use two existing stone abutments and be a timber bridge, this will leave the existing critter path untouched. He went on to state that the proposed is laid out to miss important trees. The bridge will measure 16'x12' and will bridge the stream bed. A site visits was scheduled for July 22, 2008 @ 5:00pm.

OTHER BUSINESS:

Fowler/138 Nichols Hill Road/#IW-05-58/Remediation per Order.

Mr. Ajello and Mr. LaMunier have done an inspection, the job is complete, violation is corrected and a release should be filed on the land records. Mr. Ajello and Ms. Osborne will look into the release on the land records.

Aragi/Wilbur Road/ Request for return of Consultant's Bond. Mr. Aragi has withdrawn his plans, the full fund should be intact, all members agreed on return of the bond.

Motion: to approve the return of Consultant's bond to Mr. Aragi, Wilbur Road. By Mr. Picton, seconded by Mrs. Hill, passed 5-0.

ENFORCEMENT:

Mr. Ajello submitted a WEO Report dated thru July 7, 2008.

DeBenedetto/212-214 Calhoun Street/Restoration of understory. Mr. Ajello stated that the site looks good, 70 herbaceous plants have been installed. Mr. Picton confirmed that no cutting/digging has been done. Mr. Ajello answered that they have continued to trim invasives.

Lodsin/ 78 Litchfield Turnpike/Unauthorized Excavation. Mr. Ajello stated that a letter has been sent from the Army Corps of Engineers stating that they expect restoration of the site; he is waiting for this packet. Mr. Picton felt that an expert needs to be hired. Mr. Ajello said that a bond needs to be obtained to develop a restoration plan. Mr. Ajello will issue a letter.

Rubler/240 Wykeham Road/Unauthorized clear cutting. Mr. Ajello sent a Notice of Violation with attachments (including a letter from the First Selectman and Town Road Foreman) to Mr. Rubler discussing the roadside damage, location of vernal pool and stream. A site visit was scheduled for Tuesday July 15, 2008 @ 6:00pm. Mark Picton had a conversation with Betsy Corrigan about the stream being inhabited by the wood turtle.

Peloquin and Fowler will be removed from the Enforcement list.

Administrative Business:

Revision of the Regulations. Will meet on July 17, 2008.

Hiring of a Consultant. Mr. Bedini and Mr. Picton will approach the selectmen about the hiring of a consultant.

Update on Funding Application to River Alliance. Dave Thomson reports this is moving forward.

COMMUNICATION:

6/20/08 Letter to All Washington Residents, Unsigned. Members did not feel this correspondence should be addressed now; it will be filed in the Wykeham Rise LLC file with other correspondence. Some members felt that because it was unsigned it shouldn't be addressed.

CACIWC Membership. All members were in agreement to continue membership, Ms. Osborne will forward to the Selectmen's Office.

Mr. LaMunier asked if Mr. Ajello has sent letters to the DEP about the commission's denial for treating the two ponds at the last meeting. Mr. Ajello has not yet submitted these letters. Mr. LaMunier felt it needed to be done ASAP.

MOTION: to enter into executive session at 9:50pm to discuss pending litigation. By Mrs. Hill, seconded by Mr. Picton, passed 5-0.

MOTION: to exit out of executive session at 10:05pm. By Mrs. Hill, seconded by Mr. Picton, passed 5-0.

A site visit was scheduled for Tuesday July 15, 2008 @ 4:15pm for Andersson/35-45 Gunn Hill Road/

Unauthorized Clearing, Trenching in Wetlands. Mr. Ajello will contact Mr. Andersson attorney of this scheduled site visit.

Meeting adjourned at 10:10pm

Submitted subject to approval,
Pamela L. Osborne, Acting Secretary