

June 9, 2004

Members Present: Dorothy Hill, Helen Gray, Charles La Muniere, Mark Picton, and Marguerite Purnell.

Alternates Present: Anthony Bedini, Candace Korzenko.

Staff Present: Michael Ajello, Katherine Moquin.

Also Present: John Addyman-Voices, Kathy Coe, Joseph Wanag, Ronald Wolff, Marc Olivieri, Lawrence O'Toole, and Mark Devlin.

Opened the meeting at 7:10 p.m., Chairman Hill presiding.

Seated members present - Dorothy Hill, Helen Gray, Charles LaMuniere, Mark Picton, and Marguerite Purnell.

Added to the Agenda a) Show Cause Hearing Minutes of May 26, 2004 re: **Fowler, IW-04-V5** to Consideration of Minutes. b) **DiBenedetto, IW-03-04** to Other Business. c) Nominating Committee to Other Business. Motion by Mrs. Hill, second by Ms. Purnell, passed 5-0.

Accepted, as amended, Show Cause Hearing Minutes of May 26, 2004 re **Fowler, IW-04-V5**. Motion by Mr. Picton, second by Mrs. Gray, passed 5-0. Correction follow:

Under Motion to Close - add 'second by Ms. Purnell' after 'Gray.'

Accepted, as amended, Regular Meeting Minutes of May 26, 2004. Motion by Mrs. Hill, second by Mrs. Gray and passed 5-0. Corrections follow:

Page 2 - under page 1, **Guliano** - add 'Show Cause Hearing' after 'Guliano.'

under page 3, **DiBenedetto** - 'access' should be 'assess.'

under page 5, **Rudin** - add 'is proposed at northern entry site' after 'pad.'

Page 3 - under **DiBenedetto** - line 6 - 'restored' s/b 'covered.'

under **Hopkins** - line 8 - 'not engineering issues' s/b 'in addition to the engineering issues which have been addressed.'

- lines 9-11 s/b 'This property is steep and the 1400 foot proposed driveway has a continuous 15% grade. Exposed ground during construction will be vulnerable to heavy rain, possibly causing a disastrous amount of silt and warmer water to rush into Sprain Brook.'

- line 17 - delete 'but not necessarily paving.'

- line 18 - delete 'erosion control mats are more effective than hay bales.'

- line 19 - 'larger' s/b 'extensive.'

- line 21 - delete 'if silt descends into the brook in very large quantities.'

- line 22 - delete 'not specified' and add 'and' before 'how.'

Page 4 - under **Parent** - line 5 - add 'for the violation.'

corrections May 26 Minutes con't:

- under **Corax Corp.** - line 5 - 'will not' s/b 'deferred voting' and add 'to the plan

- and/or more information.'
- under **Steep Rock** - line 2 - add 'remove invasives' after 'boards.'
- - line 5 - capitalize 'weed wrenching,' add 'TM' after
- 'wrenching.'
- under **Obbard/Zeller** - line 5 - 'from' s/b 'to.'
- - line 6 - 'water' s/b 'view.'
- under **Ross** - lines 2 to 7 delete.
- - line 8 - 'road is not going to be located as shown on the restoration
- plan' s/b 'roadway that will be removed under the approved wetlands
- restoration plan.' and add 'Mr. Ross was reminded that the Commission
- expects the restoration plan to be completed by June 30, 2004.'

Page 5 - under Devlin/**Tsang** - line 1 - delete 'Devlin.'

- line 2 - add 'agent,' before 'Mark,'
- line 2 to 6 - number the plans #1, #2, and #3.
- under **Beck** - line 2 - add 'in the restoration area.' after 'invasives,' delete 'and,'
- add 'WEO Ajello reported that' before 'stumps.'
- line 3 - 'which was' s/b 'recently,' add 'and that approximately'
- before '60.'
- line 5 - add 'above the wetlands' after 'hillside.'
- line 8 - delete 'also.'
- under **O'Toole** - line 6 - 'and to' s/b 'they
- should,' 'good' s/b 'written.'
- under **Guliano** - line 1 - 'WEO approval violation' s/b 'violation of Wetlands Agent
- approval.'

Page 6 - under **Fowler** - line 1 - 'to Have' s/b 'that.'

- line 4 - 'unlike' s/b 'contrary to,' 'Fowler' s/b 'Kelly.'
- line 6 - add 'WEO Ajello was asked to send a letter and a
- citation.'

under **Auchincloss** - line 1 - 'permit' s/b 'item.'

under **Levy/Kady** - line 2 - delete 'buried stumps were discovered.'

Accepted, as amended, Site Inspection Minutes of June 2, 2004 re **Bailey, IW-04-V7**. Motion by Mr. Picton, second by Mrs. Gray, passed 5-0.

Corrections follow:

line 1 - 'Reason for Application' should be 'Reason for Inspection.'

under Members Present - spelling of 'Mark.'

Accepted, as written, Site Inspection Minutes of June 2, 2004 re **Tsang, IW-04-V6**. Motion by Mrs. Gray, second by Mrs. Hill, passed 5-0.

Accepted, as amended, Site Inspection Minutes of June 2, 2004 re **O'Toole, IW-04-30 ATF**. Motion by Ms. Purnell, second by Mrs. Gray, passed 5-0. Correction follow:

Last paragraph - line 4 - the second 'stream' s/b 'edge of the leaching field.'

DENIED, without prejudice, **Meeker, IW-04-19, 269 New Milford Tpke., expand driveway & gravel**. The application time period expires on June 18, 2004 and requested information had not been submitted Motion by Ms. Purnell, second by Mr. Picton, passed 5-0.

APPROVED Hopkins (Morse Estate,) IW-04-21, 313 Nettleton Hollow Road, construct driveway per the revised plans, "Driveway Plan, Joseph Wanag, Site Development Plan, Grading, Sedimentation and Erosion Control Plan by Ronald Wolff, P.E., dated 3-4-04, revised 5-20-04 and 6-6-04" and with the following conditions: 1) A pre-construction conference with WEO Ajello, the owner, and the contractor, is to be held to ensure that construction methods are clear to all parties. 2) Additional sedimentation and erosion measures may be required by WEO Ajello during the project. He may also ask for inspections and reports by the permittee's professional engineer as needed. 3) The limit of disturbance shown on the plan is also to be the limit of clearing. 4) A \$14,000.00 bond, as described in Ronald Wolff's revised letter of June 7, 2004 and as described in Land-Tech Consultants' letter of June 7, 2004, is to remain with the Town of Washington until the projects completion. 5) Once begun, each phase must proceed without delay. Motion by Mr. Picton, second by Mr. La Muniere, passed 4-1-0.

Ms. Purnell voted 'nay' because of possible long term impacts to Sprain Brook associated with this property's constraints; the 1400 foot driveway runs between steep slopes and the brook; the overland rock-lined swale will eventually fill in with silt and not function; water discharge from the driveway will contain oil / grease from vehicles and sand / salt from plowing; there are fears that water run-off from the driveway and development clearing will cause thermal impacts and an alteration in the hydrograph.

Members reviewed the revised plans and bond analysis submitted tonight by Ronald Wolff, PE. Mr. Wolff designed three stages for construction work, added details to the construction sequence, and added additional sedimentation and erosion controls. Mr. Picton report on his conversation with Robert Oley, PE., regarding the installation of additional culverts - Mr. Oley recommended one engineered flow of water for this driveway steeply sloped because water might overshoot smaller culverts. Ms. Purnell explained her concerns for expected long term impacts to Sprain Brook. Members asked that a copy of the plans be given to WEO Ajello and the contractor.

Heard, re: Parent, IW-04-23 ATF, 71 Calhoun Hill Road, install driveway stone, clear house and driveway site, that no new information has been submitted since WEO Ajello's 6-1-04 letter. The Commission is waiting for an engineered plan and a complete wetlands survey.

Heard, re: Corax Corp., IW-04-24, 248 West Shore Road, house renovations / install generator, that WEO Ajello talked to agent, Paul Manson who said he will be going back to ZBA with new pleas. A property survey showed that lot coverage is no longer an issue. The Commission will wait for a decision by ZBA before acting on the application.

Mr. Picton recused himself from this discussion because Picton Bros. may bid on the proposed work.

VOTED, re: Obbard/Zeller, IW-04-27 E, 148 A Whittlesey Road, construct dwelling, that this property is not subject to the Inland Wetlands Commission's jurisdiction. No work is proposed in the regulated area or in the upland review area and no potential threat to the regulated area or in the upland

review area is seen. Motion by Mr. Picton, second by Ms. Purnell, passed 5-0.

Members discussed, with contractor, Marc Olivieri, revised plans, "Proposed Plot Plan,

Obbard & Zeller, 148A Whittlesey Road by Brian E. Neff, PE., dated 4-30-04, revised 6-3-04." Mr. Olivieri confirmed that no clearing will be done for views and no clearing or grading will be done beyond the limit of tree clearing / soil disturbance line. Ms. Purnell said that once development is completed, no work will be done near wetlands or watercourses, therefore, she saw no potential impacts.

Heard, re: Adams, IW-04-28 ATF, 136 West Shore Road, replace pipe & stone, that WEO spoke to Anne Adams about the items she needs to submit to the file: it was noted there are phragmites sprouting up around the catch basin next to the parking lot. Members asked Mr. Ajello to request a planting plan that includes removal of invasives and a \$120.00 After The Fact Application supplemental fee.

Heard, re: Young, IW004-29, 113 Litchfield Tpke., dry hydrant, from WEO Ajello that Janet Young expects Duncan Woodruff, of the WVFD-Water Resources Committee, to submit a sketch and measurements.

Discussed O'Toole, IW-04-30 ATF, 46 Kielwasser Road, septic repair, install septic system, repair stone wall, re-vegetation, with Lawrence O'Toole. He submitted a revised sketch and added new activities to the application: 1) Facing off an existing concrete bridge wall with stone. 2) Adding a deck and stairs to the existing garage at the western corner of the back wall. 3) Replacing an existing porch and stairs on the side of the garage with a covered porch and stairs. Mrs. Korzenko objected to adding new activities to an After The Fact Application but Mrs. Hill pointed out that the Commission had accepted other After The Fact Applications with new activities. WEO Ajello will advise Mr. O'Toole of the additional information needed by the Commission.

Discussed Tsang, IW-04-V6, 137 Upper Church Hill Road, excavation, clearing, deposition in wetlands, with agent, Mark Devlin, AIA. Mr. Devlin submitted a letter from Mr. Tsang, dated 6-7-04, authorizing him to act as his agent and a revised plan, "Wetlands Remediation Plan, Tsang Residence, 137 Upper Church Hill Road by Mark A. Devlin, AIA, revised 6-7-04." WEO Ajello pointed out that the location of existing stones prevents mowing in the wetlands. Members said: 1) Wetlands and buffer areas are to be allowed to re-vegetate naturally; blueberry bushes and blue iris may be planted in the wetland; planting is best done in groupings of three or five. 2) The 35 foot setback area is **not** to be mowed. 3) Piled stumps are to be removed without compromising the natural ground level - therefore, the bottom layer of stumps may have to remain.

WEO Ajello will write a letter to Mr. Tsang listing the Commissions' requests as stated at tonight's meeting.

Heard, re: Beck, IW-02-V1, 132 Calhoun Street, cutting & clearing in wetlands, that WEO Ajello spoke with Julian Beck about removing invasives out of the wetlands - there was no resolution; a citation is being drawn-up; a copy will be sent to Atty. Michael Zizka.

Heard, re: Ross, IW-04-V4, 10 Sunny Ridge Road, wetlands restoration, that no work has been done to complete the restoration. Members noted the June 30, 2004 deadline. Mr. Ajello will make another site inspection.

Decided, re: Guliano, IW-04-V1, 19 Winston Drive, violation of Wetlands Agent approval, to ask Atty. Michael Zizka to speak to Mr. Guliano's attorney on this matter

Noted, re: Fowler, IW-04-V5, 138 Nichols Hill Road, excavation in wetlands & watercourse, that a citation was sent June 1, 2004. The Commission is waiting for a remediation plan.

Decided, in re: **Levy/Kady, IW-04-V6, 129 Wykeham Road, deposition in & near wetlands**, that responding to Mr. Kady's request for a written statement that the restoration is complete, Ms. Moquin will send a copy of the relevant page of the May 26, 2004 meeting minutes.

Discussed Bailey, IW-04-V7, 93 Old Litchfield Road, destruction of wetlands by 'quads,' noting the severity of the damage as observed on their June 2, 2004 site inspection. Members said: 1) The breach in the stone wall is to be repaired. 2) Logs are to be removed from the brook. 3) Vegetation is to be allowed to re-grow. 4) The ruts are to be repaired , as much as possible, by hand raking. WEO Ajello will send a letter with these requests. A citation will also be sent.

Reviewed the WEO REPORT - Mr. Ajello will ask Mr. and Mrs. **Hildmann, permit IW-03-14 ATF**, the type of fence they will use and how it will be installed.

Discussed DiBenedetto, IW-03-04, basic guidance draft by Ms. Purnell. All agreed the final letter shall include the following: 1) No mowing is to be done in the pilot project area. 2) The native woodland understory is to be allowed to re-grow and no sapling stumps are to be removed. 3) Only invasives are to be removed by hand - cut individually. 4) A re-request for a planting plan. 5) Language from the original permit.

Ms. Purnell will fax the final draft to each member for review; Mrs. Hill will sign it for the Commission.

Heard, in re: **Fish, IW-03-42, 201 Wykeham Road, permit violation**, that Mr. Fish has put up conservation area markers every fifty feet. They are laminated but will last five to ten years, Mr. Ajello thinks.

Appointed by Mrs. Hill, members Mr. Bedini, Mrs. Gray, and Ms. Purnell to the Nominating Committee for the election of a new Chairman and Vice-Chairman at the July 8, 2004 meeting.

ADJOURNED the meeting at 10:31 p.m. Motion by Mr. La Muniere, passed 5-0.

FILED SUBJECT TO APPROVAL Respectfully submitted, Katherine Moquin 6-18-04