

# July 14, 2004

## SHOW CAUSE HEARING

Re: Bailey, IW-04-V7, 93 Old Litchfield Road, destruction of wetlands by 'quads.'

**Members Present:** Dorothy Hill, Helen Gray, Charles La Muniere.

**Members Absent:** Mark Picton, Marguerite Purnell.

**Alternates Present:** Anthony Bedini, Candace Korzenko.

**Alternates Absent:** Kathryn Coe.

**Staff Present:** Michael Ajello, Katherine Moquin.

**Opened** the Hearing at 6:48 p.m., Chairman Hill presiding.

**Seated** members present - Dorothy Hill, Helen Gray, Charles La Muniere, Candace Korzenko for Mark Picton, Anthony Bedini for Marguerite Purnell.

Mrs. Hill read the Enforcement Order, dated July 5, 2004 and noted that no one was present to respond.

**Closed** the Hearing at 6:52 p.m. Motion by Mrs. Grey, second by Mrs. Korzenko, passed 5-0.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Katherine Moquin, Land Use Secretary

July 19, 2004

## REGULAR MEETING

**Members Present:** Dorothy Hill, Helen Gray, Charles La Muniere.

**Members Absent:** Mark Picton, Marguerite Purnell.

**Alternates Present:** Anthony Bedini, Candace Korzenko.

**Alternates Absent:** Kathryn Coe.

**Staff Present:** Michael Ajello, Katherine Moquin.

**Also Present:** Dirk Sabin, Duncan Woodruff, James Ross, Gene Swanson, Ralph Corbo, Ronald George, Timothy Egan, Joseph Fiorilla, John Ciappetta.

**Opened** the meeting at 7:12 p.m., Chairman Hill presiding.

**Seated** members present - Dorothy Hill, Helen Gray, Charles La Muniere, Candace Korzenko for Marguerite Purnell, and Anthony Bedini for Mark Picton.

**ELECTED** the slate of nominated officers, Mark Picton for Chairman and Candace Korzenko

for Vice-chairman. Motion by Mrs. Gray, second by Mr. Bedini, passed 5-0. In Mr. Picton's absence, newly elected Vice-Chairman Korzenko assumed the chair.

**Added** to the Agenda a) Discretion of the Chair as the third item. b) Preliminary Discussion re: **Stiteler, West Shore Road/Tinker Hill Road** as the fourth item. c) **Schein, IW-04-40** to New Applications. d) **Breakstone/Garfunkle, IW-04-37** to New Applications. e) **Volante, IW-04-39** to New Applications. f) **Laus, IW-04-41** to New Applications. Motion by Mrs. Gray, second by Mr. Bedini, passed 5-0.

**Discretion of the Chair** re: retiring Chairman, Dorothy Hill. Commission spokesperson, Mrs. Grey, presented Mrs. Hill with a Certificate of Resolution - praise for her considerable skill and dedication during her tenure.

**Accepted**, as amended, Regular Meeting Minutes of June 23, 2004. Motion by Mrs. Hill, second by Mr. Bedini, passed 5-0. Corrections as follows:

Page 2 - under Mr. Picton recused - 'this' s/b 'the following'

under Corax Corp. - delete last sentence

Page 3 - under Ross - line 2 - add 'approved' before 'barn,' add 'site' after 'barn'

line 3 - delete 'and previously permitted - IW-03-12'

line 5 - 'marked with an index' s/b 'identified'

line 8/item 7 - 'Where is' s/b 'Location of'

line 9 - delete 'going ?'

under Curtis Road, LLC - line 5 - add 'if it is likely to occur' after 'grading,'

'more' s/b 'adequate'

line 6 - add 'where it is likely to be' after 'fence'

Page 3 - under O'Toole - at the end - add 'Members agreed that written, specific details should be included in all applications.

corrections con't:

under Beck - line 2 - 'un-permitted method' s/b 'using a method which would

not have conformed to the Commission's directive even if

it had been done in the area designated by the

Commission for control of invasives'

Page 4 - under Bailey - line 2 - 'CO' s/b 'WEO'

line 3 - add '; he will send an Enforcement Order before the next

meeting' after 'Bailey'

under Sarro - line 1 - add 'the activity' after 'and'

**Accepted**, as written, Site Inspection Minutes of June 28, 2004 re: **Beck, IW-02-V1**. Motion by Mrs. Gray, second by Mr. Bedini, passed 5-0.

**Accepted**, as amended, Site Inspection Minutes of July 12, 2004 re: **Swanson II, IW-04-33**. Motion by Mrs. Hill, second by Mr. Bedini, passed 5-0. Correction as follows:

Page 2 - second to last line - add 'after the parking area is widened and flattened' after 'addressed'

**Accepted**, as written, Special Meeting Minutes of June 23, 2004 re: Keep Invasive Species out of Lake Waramaug with Thomas McGowan. Motion by Mrs. Gray, second by Mr. Bedini, passed 5-0.

**Discussed**, in a preliminary fashion, **Stiteler, West Shore Road / Tinker Hill Road** with agent, Dirk Sabin. He asked for the Commission's preferred site for a guest house still in the design stage - members agreed that keeping the construction site out of the 100' upland review area, as much as possible, would best serve the property's wetlands and adjacent lake.

**APPROVED** Young, **IW-04-29, 113 Litchfield Tpke., dry hydrant**, per the sketch, "WVFD Dry Hydrant Installation Location, 138 Litchfield Tpke., revd. July 9, 2004" and work description, dated

June 3, 2004. Motion by Mrs. Hill, second by Mr. Bedini, passed 5-0.

Duncan Woodruff, WVFD, Water Resources Committee, submitted the above cited sketch. Mrs. Korzenko read the above cited work description; this pond is spring-fed and full year round.

**DENIED**, without prejudice, **Parent, IW-04-23 ATF, 71 Calhoun Hill Road, install driveway stone, clear house site & driveway**, because the application time period expired on July 2, 2004. Motion by Mrs. Hill, second by Mrs. Gray, passed 5-0.

Members noted the expired application time period. Brian Neff, PE., said that he is waiting for the surveyor to put wetlands flags on a map before he finishes his engineering plans.

**Heard re Adams, IW-04-28 ATF, 136 West Shore Road, replace pipe & stone**, that the Commission is waiting for a planting plan.

**Heard re Riano, IW-04-31, 155 Shearer Road, install aerator**, that WEO Ajello allowed agent, Harry Wright to trench a conduit across the dirt road but not past the stone wall which acts as a buffer for the pond along with thick vegetation. Mr. Ajello talked to the caretaker about leaving the vegetation intact around the pond; he will call Mr. Wright to request a work sequence.

**Discussed Ross, IW-04-32, 199 Baldwin Hill Road, install pool**, with James Ross. He submitted a new plan / narrative, "Site Plan Proposed Pool Location, Ross Residence, 199 Baldwin Hill Road, by W.B., dated 6-20-04, revised 7-14-04." Mrs. Korzenko read Mark Picton's observations from his July 7, 2004 site inspection. Members requested a detailed construction sequence including the installation of the pool mechanicals.

**Discussed Swanson, IW-04-33, 18 Cook Street, re-place deck, re-build stone wall, armor stream bank, widen right of way/parking**, with Gene Swanson. Mr. Swanson plans to talk to Roger Canavaro, Town Road Crew Foreman. Mrs. Hill will consult Richard Sears, First Selectman; he said the Town will rely on the Commission's plan approval. Members requested a detailed construction sequence.

**APPROVED Curtis Road, LLC., IW-04-34, 23 Curtis Road, construct dwelling**, per the plan, "Proposed Site Plan, Corbo Associates, Inc., 23 Curtis Road, dated 6-23-04, revised 7-3-04" with one condition that the limit of cutting and clearing is to be identified in the field with Conservation markers every fifty feet. Motion by Mr. La Muniere, second by Mrs. Gray, passed 5-0.

Members discussed the revisions to the above cited plan and expressed appreciation for the care and effort taken to protect wetlands.

**Heard re Paggioli, IW-04-35, 1 Tinker Hill Road, install trellis & fence**, that the proposed trellis site is located near the lake shore and the proposed fence site is located on the other side of West Shore Road. Members requested a work sequence and type of material proposed for the trellis and posts.

The Commission will make a site inspection on Wednesday, July 21, 2004 at 9:00 a.m.

**Decided re Pullaro, IW-04-36, 23 Calhoun Street, pave driveway**, to review the previous permit, IW-02-48, before discussing this proposal.

**Discussed Berger, IW-02-07, 392 Nettleton Hollow Road, revision to permit**, with agent, Tim Egan and Ron George, PE. The house site is now proposed 20-30 feet downhill and the beginning of the driveway is laid out with minor differences in contour and drainage added.

The Commission will make a site inspection on Wednesday, July 21, 2004 at 10:00 a.m.

**Discussed Schein, IW-04-40, 245 West Shore Road, re-build shed**, with agent, Joseph Fiorilla.

WEO Ajello submitted two photos of the existing slab. Members requested a construction sequence, erosion controls and stockpile location.

**Discussed Breakstone/Garfunkel, IW-04-37, 127 Church Hill Road, addition, relocated driveway,** with agent, Brian Neff, PE. Most of the proposed addition is outside the regulated area; part of the driveway is proposed for re-location farther from the wetlands.

The Commission will make a site visit on Wednesday, July 21, 2004 at 10:45 a.m.

**Added to the Agenda Mayfair Properties, LLC., IW-04-38 to New Applications.** Motion by Mrs. Hill, second by Mr. Bedini, passed 5-0.

**Discussed Mayfair Properties, LLC., IW-04-38, 116 Woodbury Road, install well,** with agent, Brian Neff, PE. A second well is needed to complete the water system. Well filings will be removed out of the regulated area; a silt fence will be installed below the well site.

**Discussed Volante, IW-04-39, 11 Top Pasture Road, construct driveway,** with agent John Ciappetta. The proposed driveway location area is relatively flat; paving will be done after one year of compaction.

The Commission will make a site inspection on Wednesday, July 21, 2004 at 11:15 a.m.

**Discussed Laus, IW-04-41, 22 Nichols Hill Road, dredge pond,** with agent, Brian Neff, PE.

The area will be accessed during a dry time, perhaps August; The spring fed pond will be pumped down into a temporary settling basin. Members will make individual site visits before the next meeting.

## **EO Report**

Discussed the following briefly:

**Greenfield, 12 Ives Road, clearing in or near wetlands.** WEO Ajello took photos and sent a letter, dated July 7, 2004; he will make a follow-up call.

**Gatto, Woodbury Road, permit violation.** The Building Official and , ZEO Janet Hill were contacted to remind them that the un-permitted deck needs to be removed before a CO is issued.

**Daudelin/Arciola, 9 Dark Entry Road, construct dwelling.** Drier conditions and no erosion problems were evident during a site inspection on June 28, 2004.

**Matteo, 175 West Shore Road, emergency septic repair.** Installation of a silt fence was requested, as well as additional driveway stone, as soon as possible.

**Fish, IW-04-V2, 201 Wykeham Road, un-permitted timber harvest near wetlands.** Mr. Fish called to ask for written confirmation that he has cleared his permit violation. Ms. Moquin will send a copy of May 26, 2004 minutes.

**Di Benedetto, IW-04-03, 212/214 Calhoun Street, remove invasives, dead trees, vines/prune.**

Mr. Di Benedetto told WEO Ajello that he does not understand the Commission's denial of his recent application. Mrs. Korzenko will send him a letter.

**Discussed Beck, IW-02-V1, 132 Calhoun Street, cutting & clearing in wetlands.** WEO Ajello submitted three new photos. Mrs. Hill made a site visit and observed a partial and inadequate job done to remove invasives; she put copies of the letters sent to Mr. Beck in order, creating a time line. Mrs. Hill will consult Atty. Zizka. Mrs. Korzenko will send a letter to Mr. Beck telling him that he did not do the job the Commission asked him to do.

**Heard re Ross, IW-02-V4, 10 Sunny Ridge Road, wetlands restoration,** that the remainder of

material from the wetlands has been removed - perhaps a small amount of handwork is left after the recent rain; A portion of the wood road is now gone - an application for construction of a new section of road has not yet been submitted.

**Heard** re **Guliano, IW-04-V1, 19 Winston Drive, violation of WEO approval**, that there is nothing new to report.

**Heard** re **Fowler, IW-04-V5, 138 Nichols Hill Road, excavation in wetlands & watercourse**, that Robert Futh, Town of Washington Inland Wetlands Hearing Officer, reviewed the file and made a site inspection; the tentative date for the Citation Hearing is August 3, 2004.

Because Mr. Fowler has not complied with the directives in Mr. Ajello's 6-1-04 letter, another letter will be sent.

**VOTED** that the Enforcement Order is to **Remain in Effect** re: **Bailey, IW-04-V7, 93 Old Litchfield Road, destruction of wetlands by 'quads.'** Motion by Mrs. Hill, second by Mr. Bedini, passed 5-0.

**Entered** Executive Session at 11: 16 p.m. to discuss pending litigation in re **Bolek, IW-03-65** and Guliano appeal of **Ficalora, IW-03-54**. Motion by Mrs. Hill, second by Mr. La Muniere, passed 5-0.

**Closed** Executive Session at 12:06 a.m., July 15, 2004. Motion by Mrs. Hill, second by Mr. La Muniere, passed 5-0.

**Adjourned** the meeting at 12:07 a.m., July 15, 2004. Motion by Mrs. Gray, second by Mrs. Hill, passed 5-0.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Katherine Moquin, Land Use Secretary

July 21, 2004