

July 31, 2013

Special Meeting

7:00 p.m., Upper Level Meeting Room

MEMBERS PRESENT: Mr. Bedini, Mr. LaMuniere, Mr. Papsin, Mr. Wadelton

MEMBER ABSENT: Ms. Cheney

ALTERNATE PRESENT: Mr. Davis

ALTERNATE ABSENT: Mr. Martino

STAFF PRESENT: Mr. Ajello, Mrs. Hill

ALSO PRESENT: Mr. Talbot, Mr./Mrs. Wright, Mr. Lautier, Mr. Lyon, Mr./Mrs. Condon, Atty. Fisher, Mr. Charles, Mr. Neff, Press, Residents Mr. Bedini called the meeting to order at 7:00 p.m. and seated Members Bedini, LaMuniere, Papsin, and Wadelton and Alternate Davis for Ms. Cheney.

Lautier/56 June Road/#IW-13-21/Construct Stonewalls, Patio, Walkway, Retaining Wall, Grind Stumps, Etc.:

Mr. Bedini noted the Commission had raised no issues at the last meeting.

MOTION:

To approve Application #IW-13-21 submitted by Mr. Lautier to construct stonewalls, patio, walkway, retaining wall, grind stumps, etc. at 56 June Road as per the details provided on a section of the map of the property, 46 June Road, Shepaug Realty, LLC., Vol. 184, Pg. 508-812, dated 7/8/13; the permit shall be valid for 2 years and is subject to the following conditions:

1. that the Land Use Office be notified at least 48 hours prior to the commencement of work so the WEO can inspect and approve the erosion control measures,
2. that the property owner give the contractor copies of both the motion of approval and approved plans prior to the commencement of work, and
3. any change to the plans as approved must be submitted immediately to the Commission for reapproval.

By Mr. LaMuniere, seconded by Mr. Papsin, passed 5-0.

Mr. Lautier asked if the approval included using Redi Rock for the entire length of the retaining wall. He was told it did. He said he would provide an engineered layout when it was done.

Wright/59 Scofield Hill Rd./#IW-13-22/Inground Pool, Fence, Patio:

Mr. Bedini reviewed the construction sequence and map to make sure a note regarding who was responsible for monitoring the erosion controls had been added. Mrs. Wright stated that Mr. Dobson, contractor, would be the person responsible and added this note to the project narrative. It was noted that had been the only item missing at the last meeting.

MOTION:

To approve Application #IW-13-22 submitted by Mr. and Mrs. Wright, 59 Scofield Hill Road for an inground pool, patio, and fence in accordance with the drawing, "Parcel Map," dated 5/21/13 by

Arthur H. Howland & Assoc.; the permit shall be valid for 2 years and is subject to the following conditions:

1. that the Land Use Office be notified at least 48 hours prior to the commencement of work so the WEO can inspect and approve the erosion control measures,
2. that the property owner give the contractor copies of both the motion of approval and approved plans prior to the commencement of work, and
3. any change to the plans as approved must be submitted immediately to the Commission for reapproval.

By Mr. Wadelton, seconded by Mr. LaMuniere, passed 5-0.

The map referenced in the motion included handwritten specifications by the Wrights.

Nauiakas/170 Church Hill Road/#IW-13-23/Equestrian Improvements:

Mr. Neff, engineer, presented the map, "Soil Erosion and Sediment Control Plan," dated 6/29/13 and said there had been no revisions since the last meeting. He noted the proposed location of the shed was more than 100 feet from the wetlands, but the activities proposed in the pasture were within the regulated area. It was noted the proposed use was seasonal.

MOTION: To approve Application #IW-13-23 submitted by Ms. Nauiakas, 170 Church Hill Road for equestrian improvements per the plans by Mr. Neff dated 6/29/13; the permit shall be valid for 2 years and is subject to the following conditions:

1. that the Land Use Office be notified at least 48 hours prior to the commencement of work so the WEO can inspect and approve the erosion control measures,
2. that the property owner give the contractor copies of both the motion of approval and approved plans prior to the commencement of work, and
3. any change to the plans as approved must be submitted immediately to the Commission for reapproval.

By Mr. Papsin, seconded by Mr. Wadelton, passed 5-0.

Beck/3 Perkins Road/#IW-13-24/Rebuild, Raise Lake House:

Mr. Neff, engineer, submitted his plan, "Soil Erosion and Sediment Control Plan," revised to 7/30/13. Mr. Talbot, architect, explained several changes to the plans made since the last meeting. The grade will be raised so that you will be able to walk down to the front door, eliminating the need for a bridge. Details for the anchor point for the new dock were specified. Mr. Talbot noted a precast foundation would not be used for the house. Four holes would be excavated and concrete poured during low water conditions. He said there would be no digging in the lake. He also noted that even if the holes should fill with water, the concrete could be poured. Mr. Neff stated that a floating boom as well as a floating silt fence turbidity barrier would be installed around the construction area to prevent turbidity in the lake. Regarding the existing piers for the porch, Mr. Talbot stated each one would be dug out, the rocks in the area removed, the concrete poured, and then the rocks would be reinstalled. The excavation would be done by machine because the depth of the holes would be 3.5 feet below the frost line. Mr. Talbot reviewed the construction sequence, which, he said, was needed because the construction site was so tight. Mr. Ajello warned that forms and pumps might be needed should the soils cave back into the excavated holes. Mr. Talbot responded the holes would be dug one at a time so that conditions could be assessed. He said

that he, Mr. Neff, and the builders would be responsible for determining whether the water level and weather conditions would permit the start of construction. Mr. Talbot noted that silt fence would be installed along the boundary line to protect the intermittent stream on the adjoining property. Mr. Neff thought this would be adequate. The protection of the stream was briefly discussed and Mr. LaMuniere asked Mr. Ajello to monitor it during construction. Mr. Talbot noted he had submitted three updated architectural drawings.

MOTION: To approve Application #IW-13-24 submitted by Mr. and Mrs. Beck to reconstruct and raise the lake house at 3 Perkins Road (West Shore Road) per the "Soil Erosion and Sediment Control Plan," by Mr. Neff, revised to 7/30/13 and the set of four drawings, DD100-DD103, by Peter Talbot Architects, dated 7/31/13; the permit shall be valid for 2 years and is subject to the following conditions:

1. that the Land Use Office be notified at least 48 hours prior to the commencement of work so the WEO can inspect and approve the erosion control measures,
2. that the property owner give the contractor copies of both the motion of approval and approved plans prior to the commencement of work, and
3. any change to the plans as approved must be submitted immediately to the Commission for reapproval.

By Mr. Wadelton, seconded by Mr. Papsin, passed 5-0.

Mr. Bedini changed the order of the agenda.

Town of Washington/Intersection of Shinar Mt. and Walker Brook Roads/Request to Revise Permit #IW-12-22/Replace Culvert:

Mr. Lyon, First Selectman, said he had met with the contractor who had concerns about the approved plan because it would require moving a utility pole. AT&T is notoriously slow when asked to move poles, and if the pole was not moved soon, the work could not be done at the end of August/early September as planned. Rather than install the 36" pipes first proposed, Mr. Lyon requested a revision of the permit to allow the installation of one 48" pipe instead. He noted that the engineer said this would be OK as long as the construction took place during a low flow period, there were no storms forecast within ten days of the start of work, and there is not a lot of foreign material placed behind the coffer dam.

MOTION:

To approve the Town of Washington's request to revise Permit #IW-12-22 to replace the culvert at the intersection of Shinar Mt. and Walker Brook Roads as per the construction sequence #s 1, 2, 3, and 4 on the construction plan by Arthur H. Howland and Assoc. dated 3/20/12 and revised to 7/27/12 and the email from Nagy Construction dated 7/2/13.

By Mr. LaMuniere, seconded by Mr. Wadelton, passed 5-0.

Straw Man, LLC./135 Bee Brook Road/Request to Revise Permit #IW-09-44/Install Bridge:

Mr. Wadelton recused himself and left the table. Alternate Davis was seated.

Mr. Charles, agent, represented the applicant. Mr. Charles briefly stated that the reason for the revision request had been that the immediate maintenance needs of the property did not require the permanent bridge and because both the applicant's engineer and contractor had advised him

the proposed changes were minor and straight forward and so did not require a new application. He said he was aware that a petition requesting a public hearing had been received and he submitted a letter of withdrawal dated 7/31/13. Mr. Bedini read the letter for the record.

Mr. Wadelton was reseated.

Community Table Restaurant/223 Litchfield Turnpike/Preliminary Discussion re: Possible Addition:

Mr. Talbot, architect, presented a set of plans, "Site Plan," sheets DD-SP-1 – DD-101, dated 7/17/2012 on which he pointed out a possible addition to the restaurant and the flagged wetlands. The addition, which would house a 20 seat wine bar, was shown 5 feet from the edge of the wetlands. It was noted the existing building is 12 feet from the wetlands' edge. Mr. Talbot noted that feasible alternatives had been considered, but because the addition would utilize the existing kitchen and bathroom and because it was hoped the addition would not interfere with the existing parking, the proposed location was deemed the most appropriate. He also noted that roofline issues had been considered. He asked whether the Commission might consider approval of the addition. Several commissioners questioned whether the existing septic system could accommodate the additional seating and whether excavation would be required to add septic fields, noting the close proximity of the septic system to the wetlands. Both Mr. Neff, engineer, and Mr. Talbot said they were comfortable the septic requirements could be addressed without excavation and noted Health Department approval would be required. Mr. Wadelton asked if the addition included the required lock up storage area for the bar. Mr. Talbot stated the restaurant already had a lock up storage area, but said he would look into this requirement. Mr. Wadelton said he did not want the applicant to have to come back for another addition if this one was found to be too small. Mr. LaMuniere pointed out that the Regulations call for the protection of wetland resources, but also state that economic development should be given due consideration and he noted the proposal was a minimal increase in encroachment into the upland review area in an area where the Commission had already worked carefully to protect the wetlands. Mr. Bedini said the issue was that the addition would take up some of the area now covered with grass. Mr. Talbot discussed the existing drainage, which, he said, sheet flows in all directions. Mr. Talbot noted the addition would require ZBA, Health Department, and Inland Wetlands approvals. It was the consensus of the Commission that given the need to help a small business be economically successful, it would consider an application for the addition.

Camp Windguage, LLC./24 Old North Road/Request for Extension of Permit #IW-08-39:

Mr. Ajello noted that no changes had been proposed for the approved wetland crossing and that although the owners had no immediate plans to develop the property, they wanted to maintain the permit. It was noted the permit could be extended up to 5 additional years. Mr. Charles stated that 21 acres of this property had been permanently protected since the subdivision had been approved.

MOTION:

To approve a 5 year extension of Permit #IW-08-39 issued to Camp Windguage, LLC., 24 Old North Road per the original approved plans.

By Mr. Papsin, seconded by Mr. LaMuniere, and passed 5-0.

MOTION:

To adjourn the meeting. By Mr. Papsin.

Mr. Bedini adjourned the meeting at 8:08 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Janet M. Hill

Land Use Administrator