

Inland Wetlands Commission

MINUTES

Regular Meeting

August 14, 2019

7:00 p.m.

Main Level Meeting Room

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

Members Absent: Mr. Davis, Mr. Kassis

Staff Present: Mr. Tsacoyannis, Ms. White

Public Present: Mr. Sabin, Mr. Szymanski, Mr. Neff, Atty. Ebersol, Ms. Turoczi, Ms. Williams, Mr. Hubelbank, Mr. Young

Call to Order:

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

Seated: Mr. Papsin, Mr. LaMuniere, Mr. Bedini, Mr. Bennett, Ms. Branson (for Mr. Davis)

Consideration of the Minutes (0:22):

It was noted that the Steep Rock Association had requested a five-year permit for the Beaver Management proposal at 124 Christian Street and the Commission granted a two-year permit.

MOTION: To approve the July 10, 2019 Regular Meeting minutes as amended to change Permit #IW-19- 31, Steep Rock, 124 Christian St, for Beaver Management to five years as indicated on the application, by Mr. Bennett, seconded by Mr. LaMuniere, passed 5-0 vote.

Consideration of the Minutes from Site Visit of, July 16, 2019 (1:34):

MOTION: To approve the minutes of the July 16, 2019 Site Visit at 149 Whittlesey Rd, by Mr. LaMuniere, seconded by Mr. Bedini, passed 5-0 vote.

Pending Applications:

Lloyd – 149 Whittlesey Road – #IW-19-29 - to demolish and rebuild a home (2:11):

Mr. Sabin, Landscape Architect was present to discuss the plan titled "Site Plan for Jill & Michael Lloyd", revision dated 8-4-19, prepared by Dirk W. Sabin, Landscape Architect. He explained that the plan was changed to indicate the addition of a construction/snow fence to the silt fence all the way around the proposed limit of disturbance area. The westerly area within the disturbance area was slightly increased to add another designated area for construction debris. He noted that the two blue areas on the plan indicate the construction activities which includes temporary debris piles for the excavation materials which will be hauled out in dumpsters. Mr. Sabin informed the Commission that all revisions are listed on the site plan, dated 8-4-19.

There was a brief discussion regarding what trees would be protected within the limit of disturbance area.

Mr. Sabin explained that only construction debris would go into the dumpsters and the size of the dumpsters will be determined by the contractor. He noted that connections will be excavated for the septic to the new house.

Mr. Neff, P.E. was present to answer any questions regarding the septic and drainage. He indicated the location of the existing and reserve septic system. He noted that the reserve septic would not be installed until necessary. Mr. Neff explained how the size of the Cultec system would be able to keep the water underground.

Mr. Sabin requested that the permit be granted for as long as possible.

MOTION: To approve Permit #IW-19-29, for Lloyd at 149 Whittlesey Road – to renew the expired Inland Wetland Permit #IW-14-03 for construction of a new single family dwelling within the review area, per the plans titled, “Site Plan for Jill & Michael Lloyd”, revision dated 8-4-19, prepared by Dirk W. Sabin, Landscape Architect, and “Septic System Plan-Reconstruction of the Lloyd Residence,” dated 1-4-14, by Brian E. Neff, for five years with the following conditions: 1. that the Land Use Office be notified at least 48 hours prior to the commencement of work so the Wetlands Enforcement Officer 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 changes to the plans as approved must be submitted immediately to the Commission for review, and 4. that silt fence be installed prior to construction; in considering this application, the Commission has determined that no reasonable and prudent alternatives exist, and believes that there is no reasonable probability of significant adverse impact on any wetlands or watercourses, by Mr. Bennett and seconded by Mr. LaMunier, passed by 5-0 vote.

New Applications:

Walberg/113 West Shore Rd/Permit #IW-19-34/Repair existing dock, deck and bulkhead (14:49):

Mr. Young was present to represent the Walbergs, property owners of 113 West Shore Rd. He explained to the Commissioner that the deck had been hit by a boat and the decking on both the dock and deck were rotting and need to be replaced. He stated that he was unsure what he would find after removing the decking but is planning on jointing any cracks in the foundation. Mr. Young stated that the replacement decking materials will be composite decking.

Mr. Young noted that there would be no soil disturbance and all construction debris will be brought to the dumpster that will be across the street on the main property. No heavy machinery will be used and the project should take approximately 2 weeks.

Mr. Young stated that the barrels will be replaced with deck floats, the composite material does not require any painting.

The Commission asked that Mr. Young contact the Enforcement Officer if there are any major cracks in the concrete. Mr. Young assured the Commissioners that he will not be pouring any concrete, all work will be done by hand and there will not be any digging.

Mr. Young stated that all the dimensions will remain the same as the existing structures.

Ricker/88 East Shore Rd/Permit #IW-19-35/Replace existing septic system (24min 07sec):

Mr. Neff, P.E. was present to represent the Rickers, property owners of 88 East Shore Rd. The Commissioners and Mr. Neff looked at the plan titled "Septic System Replacement Plan" by Brian E. Neff with a revision date of 7-29-19. Mr. Neff noted that the existing cesspool system is failing and the site has very limited space and is hard to access due to the slope. He noted that this proposed septic plan has been approved by both the local and state Departments of Health. Mr. Neff described the system materials are made of plastic and can be carried to the site and installed by hand. He noted that the old cesspool will be pumped out and filled with the soil that is dug out for the new septic tank. Mr. Neff informed the Commission that the units are high capacity he would have to bring in some sand for the system. He added that the system could not be placed further up the slope of the property due to the existence of ledge but he pushed the fields as far up as he could go. He added that the site is so compact and steep that they would not be able to use any heavy equipment and the work would have to be done by hand. Mr. Neff described the different components of the proposed system. He informed the Commissioners that the project should be finished within 2 to 3 weeks after beginning.

PH Partners, LLC/49 Potash Hill Rd/Permit #IW-19-36/Construction of SFD with associated appurtenances (31:53):

Mr. Szymanski, PE, was present to represent PH Partners, LLC., the property owners of 49 Potash Hill Rd. He and the Commissioners reviewed the plan titled "Proposed Site Development & Soil Erosion Control Plan," prepared for PH Partners, LLC, by Arthur H. Howland & Associates, dated July 25, 2019, sheet SD.1. Mr. Szymanski informed the Commission that the property is a little over one hundred acres in size and they are proposing to build a single-family dwelling with a patio which is outside the review area. The only activity within the review area is the proposed driveway, the discharge for the footing drains and the gravity feed for the septic is 95 feet away from the existing pond. The proposed garage/barn and septic are both approximately 200 feet away from the wetlands.

Mr. Szymanski confirmed that there would not be a driveway going to the garage/barn, there are no easements, there will be little to no grading and the driveway will be pervious.

There was a brief discussion regarding the location of the stockpile.

Bentzen/341 Nettleton Hollow Rd/Permit #IW-19-37/ Pond Silt Basin Dredging (35:55):

Mr. Neff, PE., was present to represent the property owners for this application. He informed the Commissioners that this was a maintenance proposal and thinks that the pond was last dredged 6-7 years ago. The proposed plan calls for removing the material from the silt basin and install a layer of clay along the embankment up against the dam that is closest to the mill, not structurally change anything, but to plug up the leakage.

The Commissioners and Mr. Neff reviewed the plan titled, "Soil Erosion & Sediment Control Plan – Proposed Site Improvements," prepared by Brian E. Neff, dated 8-5-19, sheet 1. Mr. Neff stated that about 90 yards of material would be removed out of the silt basin and 90 yards of clay would be added to the dam. It was noted that there are two proposed stockpiles on the plan, one for the removal of materials from the silt basin and the other for the clay that will be used. Mr. Neff informed the Commission that they would be using a small excavator and a dump truck and he estimates that the project should take 2 weeks to finish.

Williams/West Shore Rd (MBL 12-6-24)/Permit #IW-19-38/Replace stairs, construct landings and walls (43:55):

Mr. Neff, PE., and Ms. Williams, property owner, were present to discuss this application. Mr. Neff stated that this parcel is across from Loomarwick Road. He noted that existing wood stairs are deteriorating and are down the center of the steep parcel.

The Commissioners and Mr. Neff looked at the plan titled, "Soil Erosion & Sediment Control Plan – Proposed Site Improvements," prepared by Brian E. Neff, dated 8-5-19, sheet 1 of 1. The Commission noted the extensive work that is being proposed for this small parcel. Mr. Neff responded that the proposed stone stairs would be alongside the bank, the landings would be stone and grass and the slope would be broken down by using retaining walls. He explained that there is already some erosion and they are proposing to regrade to a more even grade and replant that area, this would reduce the velocity of runoff coming from the road. Mr. Neff added that there are two fairly large drainage pipes that dump on to the parcel. He informed the Commission that they would use the existing materials from the site to regrade and planting would be added to the west side of the property.

Ms. Williams, property owner, stated that there have been a couple of accidents due to the steepness and disrepair of the existing stairs.

Mr. Neff informed the Commissioners that the retaining walls would be masonry walls with stone facing. He offered to stake out the proposed walls for the Commissioners.

The Commission scheduled a site visit for Tuesday, August 20, 2019, at 4 pm.

Issavi/166 East Shore Rd/Permit #IW-39-19/Installation of underground utilities and removal of existing pier (54:55):

Paul Szymanski, PE., was present to represent the property owners of 166 East Shore Rd for this application. The property owners are proposing to remove the existing concrete pier and install 2 underground utility conduits. The Commissioners and Mr. Szymanski reviewed the plan titled "Site Development Plan," prepared for Emil Issavi by Arthur H. Howland & Associates, revision dated 8-09-19, sheet SD.1.

Mr. Szymanski stated that the pier would be jack hammered and materials would be removed by hand and disposed of in the dump truck on-site and a temporary turbidity curtain would be installed. The trench will be dug from the house, across East Shore Rd to the retaining wall which is 3ft off of East Shore Rd. He has made arrangements with the State to saw cut the trench, install 2-3-inch conduit, temporarily patch and mill full width of the road and repave. Mr. Szymanski indicated that the trench will be filled with topsoil and seeded.

Mr. Szymanski estimates that there is a little over 2 yards of concrete that they will be removing. He noted that they will be leaving the existing fieldstone. At the request of the Commission, Mr. Szymanski offered to put silt fencing along the trench and hay bales around the catch basin for extra erosion control.

Mr. Papsin recused himself from the following discussion.

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

Collins/323 West Shore Rd/Permit #IW-40-19/Construct stone sitting area in the upland review area (1:00:35):

Attorney Ebersol and Ms. Turoczi from Earth Tones were present to discuss this application for the property owners at 323 West Shore Rd. Atty. Ebersol informed the Commission that this is a new application with a significantly different plan.

Ms. Turoczi reviewed the plan titled "Sitting Area & Shoreline Buffer Restoration," prepared for Jay Collins by Earth Tones, LLC., dated July 7, 2019. She explained the Installation Sequence to the Commissioners for the proposed remediation of the shoreline and bringing it back to its original state. Ms. Turoczi stated that they have removed the 90-degree stone wall, then remove the stone patio and the underlying materials and they will terrace the grade with existing natural rocks. She added that there will be a sitting area that will have rocks, no bigger than 4 square feet, separated by grass at an average of 12 inches between them and the proposed area would be 50% pervious to 50% impervious material.

There was a brief discussion regarding calculating the pervious to the impervious area. The Commission asked Ms. Turoczi to amend the Installation Sequence to indicated that the stones will be set not less than 10" apart. Mr. Tsacoyannis, Enforcement Officer, explained if the total surface is a ratio of 50% to 50% pervious to impervious, with stones not being more than 4 square feet, then it cannot be considered a structure by Zoning and therefore would not need to apply for a variance.

Ms. Turoczi briefly reviewed the plan titled "Planting Plan – Shoreline Buffer Enhancement," prepared for Jay Collins, by Earth Tones, hand dated 8-14-19 and initialed. She noted that it is the same plan that she proposed with the other application. Ms. Turoczi agreed to provide a sequence of operation for the proposed Shoreline Buffer Enhancement. She noted that they will cover any exposed soil in the event of a storm.

Other Business:

Discussion of 169 West Shore Rd (1:25:53)

The Commission tabled this discussion.

Enforcement:

Enforcement Activity Report

List of Files Closed by WEO – Projects Signed Off as Completed Per Approved Permit (1:27:42)

Mr. Tsacoyannis stated that he has spoken to Attorney Sherwood who is representing 101 Wykeham Rd, LLC. He said that they will be preparing and IW application for the demolition.

There was a brief discussion regarding the bond and whether one would be required.

The Commissioners and Mr. Tsacoyannis briefly discussed whether soil testing would be necessary and if there are any underground oil tanks on the property.

There was a brief discussion regarding 52 River Rd.

Communications:

Rogers/Letter dated 8-1-19:

Mr. Papsin informed the other Commissioners that Mr. Tsacoyannis has copies of the emails that were sent regarding this issue and a record of the follow up if anyone has questions. He noted that Mr. Haested will be coming to Inland Wetlands with a planting plan. Mr. Tsacoyannis stated that Mr. Haested has been keeping him up to date on the activities.

Adjournment:

MOTION: To adjourn at 8:45 pm, by Ms. Branson, seconded by Mr. LaMunier, passed 5-0 vote.

Respectfully Submitted,

Shelley White
Land Use Administrator
August 20, 2019