

Inland Wetlands Commission

MINUTES

Regular Meeting

September 25, 2019

7:00 p.m.

Main Level Meeting Room

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

Staff Present: Mr. Tsacoyannis, Ms. White

Public Present: Mr. Francis

Call to Order:

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

Seated: Mr. Papsin, Mr. LaMuniere, Mr. Bedini, Mr. Bennett, Mr. Davis

Consideration of the Minutes (0:12):

The Commissioners considered the minutes and requested the following amendments:

Pg. 1, add Mr. Davis the members seated.

Pg. 2, 1st line should read: Mr. Bedini asked if this proposed plan includes removal of the **dead** tree on the corner of Route 45 and Route 202.

MOTION: To approve the September 11, 2019, Regular Meeting Minutes as amended, by Mr. Bennett, seconded by Mr. Bedini, passed 5-0 vote.

Subsequent Business (01:30):

Ms. White informed the Commissioners that an application came in yesterday for **Monteleone (Maniatis-Teicholz) at 110 Blackville Rd for a kitchen addition within the review area** that was complete but not fully reviewed.

Motion: to add **Monteleone (Maniatis-Teicholz)/110 Blackville Rd/Permit #IW-19-44/Construction of a kitchen addition within the review area**, under New Applications, by Mr. Bennett, seconded by Mr. Bedini, passed 5-0.

Pending Applications:

Williams/West Shore Rd (MBL 12-6-24)/Permit #IW-19-38/Replace stairs, construct landings and walls (3:00):

Ms. White stated that Mr. Neff, P.E., the agent for the property owners, asked that the commission table the discussion again, as he is still waiting for information from the Connecticut Department of Transportation. Ms. White stated that the applicant may consent to one or more extensions of

time to commence a public hearing, complete any such hearing, and make the decision, provided the total period of all such extensions does not exceed 65 days.

Albritton/6 Church St/Permit #IW-19-41/Removal of logs, debris, and trash at New Preston Falls (3:15):

The Commissioners agreed that they had enough information to vote on this application.

Motion: To approve Permit #IW-19-41, for Albritton at 6 Church Street – for removal of logs, debris, and trash in New Preston Falls, per the map, dated 9-5-19, by William Pollock, for two 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 gives 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,

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. Davis, passed by 5-0 vote.

Bowen/121 West Shore Rd/Permit #IW-19-42/Repair existing stone wall along shoreline (5:35):

Ms. White stated that the property owner was not able to attend tonight's meeting. She stated that she has sent the applicant the recording and the minutes of the last meeting so that he could address the Commissioner's concerns.

The Commissioners reiterated that they would like to have someone present to represent this application at a meeting so that they could ask more detailed questions. Ms. White read the email from Mr. Bowen dated 9/24/19 answering some of the Commissioners' questions.

The Commissioners asked that a sketch with exact dimensions of depth, height, and length be submitted for the record.

The Commissioners discussed hiring a third party to review this application, at the applicant's expense, if the applicant cannot attend a meeting in front of the Commission. The Commissioners reviewed IWC Regulation: 11A.04 Additional Criteria for Regulated Activities Section

"d) Failing retaining stone walls may be partially or completely rebuilt to their preexisting height, length, and width if half or more of the original wall is still standing and base stones are firmly set in the lake bottom. Failing concrete structures may be removed but must be replaced only with stonewalls of similar height and length." It was noted that the base stones must stay intact if the property owner is intending on rebuilding the wall with the same dimensions of the existing wall. They briefly discussed what entails a "failing" wall.

The Commissioners noted that if stones that had fallen out of the existing wall and into the lake are going to be reused, that will cause disturbance to the lake bottom. Also, if the existing stones are going to be used to

construct the rebuilt wall, the stones will need to be stockpiled somewhere on the property and this must be indicated on a plan.

WLR214, LLC./213-214 West Shore Rd/Permit #IW-19-43/retaining walls, walkways and associated appurtenances within review area (22:35):

Mr. Francis from Arthur H. Howland was present to represent the property owners at 213-214 West Shore Rd.

The Commissioners and Mr. Francis reviewed the plan titled "Site Development Plan," prepared for WLR214, LLC, by Arthur H. Howland & Associates, revision date 9/23/19, sheet SD.1. which was revised to indicate the location of a temporary construction stockpile and include additional notes regarding the equipment that will be used, that the soil will be removed off the site in dump trucks, and additional stone and wall material will be brought in as needed.

There was a brief discussion regarding the plans titled "Grading Plan," sheet SL1.01 and "Site Wall Details," sheet SL2.01 prepared for Lake Waramaug Residence, by Thornton, Tomasetti, Becker Structural Engineers. Mr. Tsacoyannis noted that some of the numbers on the "Site Wall Details," did not match up with the numbered walls on the "Grading Plan." Mr. Francis stated that he will look into getting the plans numbered correctly. It was noted that the drawings need to be marked correctly so the Commission can monitor what might be approved in a permit.

There was a brief discussion regarding lot coverage and how this proposed plan will need to be approved by Zoning and/or ZBA but will need an Inland Wetlands Permit first.

The Commissioners are concerned with note #2 under "**Additional Project Notes**" which states that there will be 40 cubic yards of subsoil removed from the site for general grading. They feel that this is a very large amount of soil to be removed from such a small site.

The Commissioners asked that the walls be staked out and somehow indicate the height of each wall in preparation for a site visit. They indicated that elevation drawings would be helpful. They also considered having this proposed project reviewed by a third party.

It was agreed that the drawings need to be amended before they can be sent out to a third party. The Commission suggested that it would be clearer to submit a site plan with the specific area from the street to the shore enlarged.

The Commissioners scheduled a site visit for Wednesday, October 2nd at 4 pm. They requested the enlarged site plan before the site visit.

New Applications:

Monteleone (Maniatis-Teicholz)/110 Blackville Rd/Permit #IW-19-44/Construction of a kitchen addition within the review area (47:57):

The Commissioners agreed to table this discussion as no one has had time to review the submission.

Motion: To table discussion of Monteleone for Maniatis-Teicholz, 110 Blackville Rd/IW-19-44/Kitchen addition within review area until the October 9, 2019 meeting of the Inland Wetlands Commission, by Mr. Davis, seconded by Mr. Bennett, passed by 5-0 vote.

Other Business (49:05):

There was no other business to discuss.

Enforcement:

Enforcement Activity Report

List of Files Closed by WEO – Projects Signed Off as Completed Per Approved Permit (49:20)

Mr. Tsacoyannis reviewed his report with the Commissioners. He informed the Commissioners that he would email the property owner at 47 West Shore Rd regarding his options.

The Commission asked Mr. Tsacoyannis for an update on the demolition at 101 Wykeham Rd. Mr. Tsacoyannis stated that he was informed that the cleanup will most likely take place when the two lawsuits are resolved.

The Commission discussed concerns regarding leaching contaminants from the destroyed building into the ground. The Commission and Mr. Tsacoyannis discussed possible monitoring of the site.

The Commissioners started a motion to enable Mr. Tsacoyannis to draft a letter to an environmental consultant requesting cost and recommendations for quarterly monitoring (the motion was never finished).

There was a brief discussion regarding a blight ordinance.

Mr. Tsacoyannis gave a brief update on 52 River Road.

Administrative:

Review Conservation Commission Meeting Minutes of September 4, 2019 (1:10):

The Commissioners briefly discussed the Conservation Commission Minutes and solar panel regulations.

Review potential policy regarding submission of application & draft revision of Inland Wetlands Permit Application (1:14:50):

Ms. White and Mr. Tsacoyannis shared the examples of submission timelines from other towns. It was noted that the five business days before the next meeting would be sufficient time for the administrative, enforcement, commissioner and public review. Ms. White explained that if an application comes in passed the deadline date the Commission must receive the application at the next meeting. At this point the 65-day time period begins in which the Commission must vote to grant or deny a permit. The Commission can then table any discussion until the next meeting which will allow time for review.

Ms. White reviewed the changes and additions to the Inland Wetlands Permit Application. It was suggested that applications should specify a due date of seven (7) calendar days prior to the next meeting.

The Commissioners discussed adding a statement to the permits that if any condition of this permit is violated the entire permit will be revoked.

The Commissioners discussed possible revisions of the Inland Wetlands Regulations regarding walls along the shoreline and the slope of new or rebuilt walls.

Communications:

There were no communications to discuss.

Adjournment:

MOTION: To adjourn at 8:40 pm by Mr. Papsin, passed unanimously.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Shelley White", with a stylized flourish at the end.

Shelley White
Land Use Administrator
October 2, 2019