

September 28, 2011

PLEASE NOTE:

In place of minutes in the usual format, transcripts in .pdf format were prepared for the Public Hearings on Steep Rock (16 pages), and Wykeham Rise (65 pages)
These transcripts are available here:

[Steep Rock Assoc., #IW-11-21/Construct Bridge/Con't](#)

[Wykeham Rise LLC., Request to amend permit #IW-08-11/School/Con't](#)

REGULAR MEETING

8:00PM Land Use Meeting Room

MEMBERS PRESENT: Mr. Bohan, Mrs. Hill, Mr. LaMuniere, Mr. Wadelton

MEMBERS ABSENT: Mr. Bedini

ALTERNATES PRESENT: Ms. Cheney, Mr. Papsin

ALTERNATES ABSENT: Mr. Martino

STAFF PRESENT: Mr. Ajello, Mrs. Shade

ALSO PRESENT: Kris Martin, Oscar Ebner, Peter Morris, Brian Neff, Rich Horrigan, Harry Wyant

Mr. Wadelton called the Meeting to order at 8:00PM and seated Members Bohan, Hill, LaMuniere, Wadelton and Alternate Papsin for Mr. Bedini.

MOTION:

To include subsequent business not already posted on the agenda.

New Applications:

A. Malamed /115 River Road /#IW-11-36 /Dredge pond.

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

MOTION:

To postpone approval of the minutes until later in the meeting.

By Mrs. Hill, seconded by Mr. Bohan and passed 5-0.

Pending Applications [Steep Rock Association Inc. /120 Bee Brook Road /#IW-11-21 Bridge /Cont'd.](#)

Mr. Wadelton noted that the public hearing for this application had been closed. The commissioners agreed they were not ready to vote.

[Shepaug Valley Properties /27 Mt. Tom Road /#IW-11-28 Storage Shed, Bridge, Walkway, Parking area:](#)

Kris Martin came forward to discuss this application with the commission. She thought the site visit last week went very well and noted she took some photos for the commission. She said the parking area will be leveled out using the two existing piles of gravel. Mr. LaMuniere asked if they would need to use additional fill. No, they will just use what is there. Mr. LaMuniere asked how much lower the parking area will be from the road. Ms. Martin said it will remain the same. Ms. Martin said they had originally asked for a golf cart path but since the area is so steep they will just have a walking path and will put in steps for the footpath. She showed the members two proposals for the stairs. Mr. LaMuniere commented that log stairs would make for a more solid construction, but the decision on construction

material for the stairs was up to the applicants. Mrs. Hill asked that the location of the parking area and walking path be clarified on the site plan. Mr. Papsin said he would prefer the path come off the northeast corner of the parking lot instead of the middle and then follow the old logging road. Ms. Martin said they would make changes to the site plan tonight and give them back to the Commission before they leave.

MOTION:

To approve Application #IW-11-28 submitted by Shepaug Valley Properties for a storage shed, bridge, walkway and parking area at 27 Mt. Tom Road per plans dated December 10, 1987 with later revisions on September 28, 2011. This permit is valid for 9 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,
3. any change to the plans as approved must be submitted immediately to the Commission for reapproval,
4. that the paths from the parking lot to the northern edge of the property will no longer be a golf cart path. The very steep embankment at the northern edge of the paths will be traversed by stairs; the construction of which is left to the applicants. By Mr. Papsin, seconded by Mr. Wadelton and passed 5-0.

Brown /127 West Shore Road /#IW-11-31 /Application for Exemption:

The Commission agreed to accept Attorney James Kelly's request for a 30-day extension on this application.

MOTION:

To accept Atty. James Kelly's request for a 30 day extension on the pending application for Brown, 127 West Shore Road, #IW-11-31, application for exemption.

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

Griffin /199 West Shore Road /#IW-11-33 /Replace Boathouse Concrete Walls:

Brian Neff, P.E. and Rich Horrigan, contractor, represented Ms. Griffin. Mr. Neff explained that the scope of work will be less extensive than originally proposed. Now they will be repairing the deteriorated concrete walls under the boathouse and along the edge of the lake rather than replacing them. After a brief discussion, the commissioners approved the repairs.

MOTION:

To approve Application #IW-11-33 submitted by Ms. Gail Griffin to repair the boathouse concrete walls at 199 West Shore Road per plans by Brian E. Neff, P.E. dated September 2, 2011 and revised September 24, 2011. This permit is valid for 9 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,
3. any change to the plans as approved must be submitted immediately to the Commission for reapproval,
4. the channel out of the pipe will be rip-rapped to minimize erosion on the slope. By Mr. LaMuniere, seconded by Mr. Wadelton and passed 5-0.

Rumsey Hall School /201 Romford Road /#IW-11-34/Reconstruct Student Center and Dining Hall:

Mr. Wadelton noted it was too early to schedule a site visit. A check was received from Rumsey Hall School. The plans will be forwarded to Milone and MacBroom for their review.

Seitz /104 Blackville Road /#IW-11-35 /Install Drain, Repair Eroded Streambank:

Harry Wyant represented the applicant. He told the members a lot of water is coming into the house because all the big rains have washed out the banks of the stream. Mr. Wyant would like to stabilize the stream bank with big boulders and install a drain. He said the DOT had already done some repairs to the road. Mr. Wyant showed the members the repair plan he drew dated 9/13/11. Ms. Cheney and Mr. Bohan thought the Commission should approve this application and not make the applicants wait. Mr. Wadelton agreed and said that seems to be the general opinion of the Commission. He considered this to be an emergency situation and so waived the 14-day requirement.

MOTION:

To approve Application #IW-11-35 submitted by Ms. Amanda Seitz to install a drain and repair the eroded stream bank in accordance with the hand drawn plan dated September 13, 2011. This permit is valid for 9 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,
3. any change to the plans as approved must be submitted immediately to the Commission for reapproval.

By Mr. Wadelton, seconded by Mr. Bohan and passed 5-0.

Other Business

West Indies, LLC. /96 Calhoun Street /Request to Transfer Permit #IW-07-04:

This application is a request for name change on the existing permit to the new owner. This property was approved several years ago for a first cut, lot split and wetlands crossing. The Commission looked at the site plan prepared by Brian Neff dated 8/26/11. The new owner, West Indies, LLC would like to have the permit in his name before starting work on the wetlands crossing for the driveway. In his letter dated 9/21/11, Mr. Harold Tittmann stated that there will be no changes within the regulated area. The commissioners discussed the application. Mr. Wadelton observed that there would be no changes within the Commission's area of authority. Mrs. Hill disagreed. She believed the Commission was not following usual procedures.

MOTION:

To approve Application #IW-07-04 submitted by West Indies, LLC to transfer the permit for 96 Calhoun Street. This permit is valid for 9 years from the original approval and is subject to all conditions of that approval.

By Mr. Bohan, seconded by Mr. Papsin and passed 4-1.

Mrs. Hill denying. Reason for denying is stated in minutes.

Enforcement

Bennett /27 West Shore Road,

No Change.

Chatfield /19 Tinker Hill Road,

No Change.

Moore /25 Litchfield Turnpike,

has met all his obligations to the Commission and should be removed from the enforcement list.

Others to be removed from Enforcement List:

Denscot Pools /269 New Milford Turnpike, has submitted a proposal accepted by Commission.
Wang /110 Blackville Road.
Howard /99 West Shore Road.

Consideration of the Minutes

The 9/14/11 minutes were accepted as corrected:

Page 2, Paragraph 7, Line 1, Mr. Sanford is a licensed Soil Scientist & Wetlands Scientist.

MOTION:

To accept the 9/14/11 Public Hearing and Regular Meeting minutes as corrected.

By Mrs. Hill, seconded by Mr. Wadelton and passed 5-0.

MOTION:

To accept the 9/20/11 Griffin site inspection minutes as written.

By Mrs. Hill, seconded by Mr. Wadelton and passed 5-0.

MOTION:

To accept the 9/21/11 Shepaug Valley Properties site inspection minutes as written.

By Mrs. Hill, seconded by Mr. Wadelton and passed 5-0.

MOTION:

To adjourn the meeting.

By Mrs. Hill.

Mr. Wadelton adjourned the meeting at 9:40PM.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

By Martha T. Shade, Clerk