

Inland Wetlands Commission

Regular Meeting

MINUTES

April 14, 2021

7:00 p.m.

Via Zoom Video Conference

Members Present: Mr. Bennett, Ms. Branson, Mr. LaMuniere, Mr. Gendron

Members Absent: Mr. Papsin

Staff Present: Ms. White, Mr. Tsacoyannis

Public Present: Mr. Gironda, Mr. Kassis, Mr. Szymanski, Mr. Neff, Ms. Brodhead, Ms. Audet, Mr. Connor

Call to Order:

Mr. Bennett called the meeting to order at 7:09 pm.

Members Seated: Mr. Bennett, Ms. Branson, Mr. Gendron

Consideration of the Minutes (0:40):

Regular Meeting Minutes: 03-24-21:

Motion: To approve the Regular Meeting Minutes: 03-24-2021, by Ms. Branson, seconded by Mr. Gendron, passed by 3-0 vote.

Mr. Bennett reserved the right for the any approvals to be subject to Mr. LaMuniere's comments when he connects to this meeting.

Special Meeting Minutes: 03-29-2021 Site Inspection Report submitted by C. LaMuniere for Application for Exemption #IW-20-67E – 4, 6, 16 West Mountain Rd:

Motion: To approve the Special Meeting Minutes of 03-29-2021 Site Inspection Report submitted by Mr. LaMuniere for 4, 6, 16 West Mountain Rd-Application for Exemption #IW-20-67E, by Ms. Branson, seconded by Mr. Gendron, passed by 3-0 vote.

Special Meeting Minutes: 03-30-2021 Site Inspection Report submitted by B. Bennett for Application for Permit #IW-21-49 – 69 Wykeham Rd:

Motion: To approve the Special Meeting Minutes of 03-30-2021 Site Inspection Report submitted by Mr. Bennett for 69 Wykeham Rd – Application for Permit #IW-21-49, by Mr. Gendron, seconded by Ms. Branson, passed by 3-0 vote.

Special Meeting Minutes: 03-31-2021 Site Inspection Report submitted by L. Gendron Application for Permit #IW-21-18 – 4 Perkins Rd:

Motion: To approve the Special Meeting Minutes of 03-31-2021 Site Inspection Report submitted by Mr. Gendron for 4 Perkins Rd – Application for Permit #IW-21-18, by Ms. Branson, seconded by Mr. Gendron, passed by 3-0 vote.

7:13- Mr. LaMuniere is seated. He no further comments on the minutes that have been approved to this point in the meeting.

Special Meeting Minutes: 03-31-2021 Site Inspection submitted by S. Branson for Application #IW-21-21 - 210 West Shore Rd:

Motion: To approve the Special Meeting Minutes of 03-31-2021 Site Inspection Report submitted by Ms. Branson for 210 West Shore Rd – Application for Permit #IW-21-21, by Mr. Gendron, seconded by Ms. Branson, passed by 4-0 vote.

Special Meeting Minutes: 04-06-2021 Site Inspection Report submitted by C. LaMuniere Application Modification to Permit #IW-20-07 – 236 Nettleton Hollow Rd:

Motion: To approve the Special Meeting Minutes of 04-06-2021 Site Inspection Report submitted by Mr. LaMuniere for 236 Nettleton Hollow Rd – Application for Modification to Permit #IW-20-07, by Ms. Branson, seconded by Mr. LaMuniere, passed by 4-0 vote.

Subsequent Business (06:16):

None to add

Pending Applications:

Continued – Kassis/4, 6,16 West Mountain Rd/Application to request Exemption #IW-20-67E/ Christmas Tree Farm and pond (06:27):

Mr. Kassis submitted an email dated 04-08-2021 withdrawing this request for an exemption and submitted a new exemption request for a hay farm (under New Applications).

Bibbo Associates for Baratta/236 Nettleton Hollow Rd/Application to Modify Approved Permit #IW-20-07/reduction of land disturbance – construct 2 additions to existing single family dwelling (7:53):

Mr. Gironda of Bibbo Associates was present.

The IWC stated that the revised plans clearly address the concerns and questions that came up at the site inspection and they had no further questions.

Motion: To approve the request for Modification to Permit #IW-20-07 submitted by Bibbo Associates, LLP for Barratta at 236 Nettleton Hollow Road for the construction of two minor additions to existing dwelling and construction of a new flagstone patio within the review area per the application dated 03-08-2021, accompanying plans titled, “Site Plan” Sheet SP-1, “Erosion Control Plan” sheet EC-1, “Details” sheet D-1 and “Erosion Control Details” sheet D-2, prepared for Barratta by Bibbo Associates, LLP with revision date of 4-12-2021, application signed and dated 04-08-2021 with supporting documents. This permit is valid for Two (2) years and is subject to the following conditions: 1. that the Land Use Office be notified 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. the approval of this permit is conditioned upon the performance and completion of all proposed activities and/or improvements in totality to the satisfaction of the Inland Wetlands Commission. There shall not be any modification of any kind to the plans and/or scope/sequence of the proposed activities and/or improvements shown on the approved plans without prior approval of the Inland Wetlands Commission or its designee. In approving this

application, the Commission has considered all of the relevant criteria pursuant to Sections 11.02, 11A and 12.08 of the Inland Wetlands and Watercourse Regulations and finds that the proposed regulated activities as presented on the plans and conditioned herein, are not reasonably likely to lead to significant adverse impacts on any wetlands and watercourses, by Mr. LaMuniere, seconded by Ms. Branson, passed by 4-0 vote.

Brodhead for Beck/4 Perkins Rd/Application for Permit #IW-21-18/Demolition of existing dwelling and construction of new dwelling partially within the review area (15:16):

Ms. Brodhead was present to represent this application.

The IWC noted that all the components that they asked to be included on the site plan were added to the "Septic Design" plan. The revision date was confirmed to be on the plan as 04-08-2021)

Motion: To approve the application submitted by Brodhead for Beck at 4 Perkins Road for Permit #IW-21-18 for activity within the 100" regulated area consisting of the demolition of the existing single family dwelling, shed, removal of cess pool, construction of new single family dwelling, and installation of a new septic per map titled "Septic Design" prepared for Tracy & Jeffery Beck by Berkshire Engineering & Surveying, LLC with a revision date of 04-08-2021 as well as the application signed and dated 01-27-21 with supporting documents, this permit is valid for two (2) years with the following conditions: 1. that the Land Use Office be notified 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. the approval of this permit is conditioned upon the performance and completion of all proposed activities and/or improvements in totality to the satisfaction of the Inland Wetlands Commission. There shall not be any modification of any kind to the plans and/or scope/sequence of the proposed activities and/or improvements shown on the approved plans without prior approval of the Inland Wetlands Commission or its designee. In approving this application, the Commission has considered all of the relevant criteria pursuant to Sections 11.02, 11A and 12.08 of the Inland Wetlands and Watercourse Regulations and finds that the proposed regulated activities as presented on the plans and conditioned herein, are not reasonably likely to lead to significant adverse impacts on any wetlands and watercourses, by Mr. Gendron, seconded by Ms. Branson, passed by 4-0 vote.

Neff for Trevenen/69 Wykeham Rd/Application to Modify Approved Permit #IW-20-49/for paved driveway and reduce driveway surface area within the review area (22:20):

Mr. Neff was present to represent the property owners and to answer questions for this application.

The Commissioners had no further questions regarding this application. The violation will be discussed under Enforcement.

Motion: To approve the request for Modification to Permit #IW-20-49 submitted by Neff for Trevenen at 69 Wykeham Road for Permit #IW-21-49 to pave existing driveway which has been narrowed and reduced by 992 square feet, and planting grass on both sides within review area per plan titled "Soil Erosion & Sediment Control Plan – Proposed Garage Addition," 69 Wykeham Rd, by Brian E. Neff, Licensed Engineer, with revision date of 3-2-2021, as well as the permit application signed by property owner and dated 03-12-2021 with supporting documents, this permit is valid for two (2) years with the

following conditions: 1. that the Land Use Office be notified 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, 3. the approval of this permit is conditioned upon the performance and completion of all proposed activities and/or improvements in totality to the satisfaction of the Inland Wetlands Commission. There shall not be any modification of any kind to the plans and/or scope/sequence of the proposed activities and/or improvements shown on the approved plans without prior approval of the Inland Wetlands Commission or its designee. In approving this application, the Commission has considered all of the relevant criteria pursuant to Sections 11.02, 11A and 12.08 of the Inland Wetlands and Watercourse Regulations and finds that the proposed regulated activities as presented on the plans and conditioned herein, are not reasonably likely to lead to significant adverse impacts on any wetlands and watercourses, by Ms. Branson seconded by Mr. LaMuniere, passed by 4-0 vote.

Neff for Cowles/21 West Shore Rd/Application for Permit #IW-21-21/Replacement of Septic System within review area (28:32):

Mr. Neff was present to represent the property owner.

The Commission felt the site inspection was productive and they have no further questions regarding this application.

Motion: To approve the application submitted by Neff for Cowles at 210 West Shore Road for Permit #IW-21-21 for replacement of septic system within the regulated area of Lake Waramaug per the plan titled "Septic System Replacement Plan – Existing House," prepared for 210 West Shore Rd by Brian E. Neff, Licensed Engineer, dated 12-01-2020, and the permit application signed by property owner and dated 03-19-2021 with supporting documents, this permit is valid for two (2) years with the following conditions: 1. that the Land Use Office be notified 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, 3. the approval of this permit is conditioned upon the performance and completion of all proposed activities and/or improvements in totality to the satisfaction of the Inland Wetlands Commission. There shall not be any modification of any kind to the plans and/or scope/sequence of the proposed activities and/or improvements shown on the approved plans without prior approval of the Inland Wetlands Commission or its designee. In approving this application, the Commission has considered all of the relevant criteria pursuant to Sections 11.02, 11A and 12.08 of the Inland Wetlands and Watercourse Regulations and finds that the proposed regulated activities as presented on the plans and conditioned herein, are not reasonably likely to lead to significant adverse impacts on any wetlands and watercourses, by Mr. LaMuniere, seconded by Mr. Gendron, passed by 4-0 vote.

A.H. Howland & Associates for Ricker/88 East Shore Rd/Application for Permit #IW-21-23/Proposed dock and gangway (31:35):

The IWC Scheduled a site inspection for Monday, April 26 at 4:00 pm.

Mr. Szymanski stated that they are proposing to replace the existing deck boards and attaching a gangway. He stated that they will be removing the stones underneath by hand and offered to add a turbidity curtain. He added that the dock will be anchored by cross ties with chains and pieces of

concrete will hold the floating portion of the dock in the water and it is attached to the edge of the deck which is elevated above the water by about 4 or 5 feet.

DEW Construction for Meyer/76 Shearer Rd/Application for Permit #IW-21-24/Pond Dredging (37:25):

Representative not in attendance - IWC tabled the discussion for this application.

DEW Construction for Meyer/106 Shearer Rd/Application for Permit #IW-21-25/Remove invasive plants in pond remove stairs, create path with stone landings within URA:

Representative not in attendance - IWC tabled the discussion for this application.

CSC Construction for Cook/248 West Shore Rd/Application for Permit #IW-21-26/Construction of patio within URA, planting hedgerow partially in URA (38:10):

The IWC Scheduled a site inspection for Monday, April 19 at 4:00 pm.

New Applications (42:08):

The Commission accepted the following applications:

DEW Construction for Meyer/164 West Shore Rd/Application for Permit #IW-21-21/Remove old fence, install new fence with gate in URA:

Representative not in attendance - IWC accepted this application and tabled the discussion for this application.

Kassis/4, 6, 16 West Mountain Rd/Application for Exemption #IW-21-29E/For hay farm:

The Commission requested additional information to include: 1. A plan establishing what types of hay will be planted, 2. A mowing schedule, 3. Confirmation as to whether pesticides and fertilizers will be used, 4. Will the field be leased to someone doing the farming? 5. Will there be a contract to sell the hay? 6. New Site plan indicating location of the hay fields and access ways to farm the hay, 7. List of equipment that will be used.

Carter-Kempf/147 West Shore Rd/Application for Permit #IW-21-30/ Replacement of dock:

The IWC Scheduled a site inspection for Monday, April 19 at 4:45 pm.

Other Business:

There was no other business to discuss.

Enforcement (49:40):

Enforcement Activity Report & List of Files Closed by WEO – Projects Signed Off as Completed Per Approved Permit:

- **135 Wykeham Rd:** Fine was paid and Land Use is waiting to receive a permit application for the work that was performed.
- **69 Wykeham Rd:** Fine was assessed at \$500 per the Ordinance #720. Photographs of the remediation have been received by the L.U. Office. Mr. Tsacoyannis stated that he will visit the site to confirm the area is stable.
- **102 East St:** The roof was being replaced on an existing pump house. Heavy equipment traversed over a stream and disturbed the streambed. He noted that the engineer for the project will submit a remediation plan and a \$500 fine was assessed and issued to the property owner. Work has been

put on hold and the EO will confirm by making a site visit. The Commission agreed with Mr. Tsacoyannis that the repair of the roof of the well house may continue while they wait for a remediation plan but there should not be any heavy machinery used in the area.

- 68 Painter Ridge Rd: Permit closed for shed within URA
- 4 New Preston Hill Rd: Agent approval for permit for building a breezeway from the house to the garage within URA.
- 141 Shinar Mountain Rd: Agent approval for addition to house in the upper part of the URA.
- 60 River Rd: Barn is almost complete all the work is done outside of the 200 ft. setback from the Shepaug River.

Administrative:

There was no administrative business to discuss.

Communications:

There were no communications to discuss.

Adjournment:

Motion: to adjourn the meeting at 8:11 pm, by Mr. Bennett

Respectfully Submitted,



Shelley White
Land Use Administrator
April 21, 2021