

Town of Washington
Inland Wetlands Commission
October 27, 2021
Regular Meeting
MINUTES

Members Present: Mr. Papsin, Mr. Bennett, Ms. Audet, Ms. Bogue, Alt. Mr. Koppel, Alt., Via Zoom: Ms. Dubow, Alt.

Members Absent: Ms. Branson, Mr. Gendron

Staff Present: Ms. White, Ms. Haverstock

Public Present: Mr. Wengell, Mr. Szymanski, Mr. Sabin, Via Zoom: Mr. Giapponi

Regular Business:

Mr. Papsin called the meeting to order at 7:03pm.

Members Seated: Mr. Papsin, Mr. Bennett, Ms. Audet, Ms. Bogue, Alt. for Ms. Branson and Mr. Koppel, Alt. for Mr. Gendron

Consideration of the Minutes (00:19):

10-27-2021 Regular Meeting Minutes:

Motion: To approve the Regular Meeting Minutes of 10-27-2021 as submitted, by Mr. Bennett, seconded by Ms. Audet, passed by 5-0 vote.

Special Meeting Minutes: 11-01-2021 Site Inspection Report –157 Calhoun St/Permit #IW-21-54 submitted by submitted by L. Gendron:

Motion: To approve the Special Meeting Minutes – Site Inspection Report written by Mr. Gendron for the 11-01-2021 Site Inspection at 157 Calhoun Street - Application for Permit #IW-21-54/Activity within review area, by Mr. Bennett, seconded by Ms. Audet, passed by 5-0 vote.

Special Meeting Minutes: 11-01-2021 Site Inspection Report –41 Tinker Hill Rd/Permit #IW-21-55 submitted by Ms. Audet:

Motion: To approve the Special Meeting Minutes – Site Inspection Report written by Ms. Audet for the 11-01-2021 Site Inspection at 41 Tinker Hill Rd - Application for Permit #IW-21-55-Activity within review area, by Mr. Bennett, seconded by Ms. Audet, passed by 5-0 vote.

Subsequent Business:

None added

Pending Applications:

Town of Washington/Tunnel Road Bridge/Application for Permit #IW-21-53/Replacement of Bridge over Shepaug River (2:18):

Mr. Wengell, from WMC Engineers was present to discuss this application on behalf of the Town of Washington.

The Commissioners discussed that an added condition should be that a preconstruction meeting should be scheduled with the Enforcement Office to identify trees to be removed subject to the E.O.'s approval.

Motion: To approve the application for Permit #IW-21-53, submitted by The Town of Washington to replace the Tunnel Road Bridge over the Shepaug River per plan set titled "Environmental Permit Plans – State Project No. 150-136 – Replacement of Bridge No. 05158 In The Town of Washington," prepared for the Town of Washington by WMC Consulting Engineers, sheets 1-7, dated October 12, 2021 submitted with permit application signed by James. L. Brinton, dated 10/21/2021 with accompanying documentation. This permit is valid for five (5) 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, 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, and 4. the contractor will set up a preconstruction meeting with the Enforcement Officer in order to mark and identify any trees to be removed to the satisfaction of the Enforcement Officer. 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. Bennett, seconded by Mr. Koppel, passed by 5-0 vote.

A. H. Howland for Premier Trust/157 Calhoun St/Application for Permit #IW-21-54/Activity within the Review area: Removal and replacement of main dwelling septic system, installation of guest house septic system, wetlands crossing - installation of boardwalk, temporary construction access way, and grading (8:30):

Mr. Szymanski, P.E., was present to represent the property owner. He reviewed his response letter dated November 5, 2021, which addressed questions that were brought up at the site inspection of 11-01-2021. Mr. Szymanski noted that the proposed guest house will not have a foundation and it will be constructed on piers. He included a handwritten note on the "Proposed Overall Site Development Plan," sheet OSD.1, signed and dated 11-10-2021. He also signed and dated the plan titled "Landscape Plans," prepared for 157 Calhoun Street by Sea Green Horticulture.

The Commission had no further questions.

Motion: To approve the application for Permit #IW-21-54, submitted by A. H. Howland for Premier Trust for activity within the Review Area: Removal and replacement of main dwelling septic system, installation of guest house septic system, wetlands crossing – installation of boardwalk, temporary construction accessway and grading at 157 Calhoun Street per plans titled “Proposed Overall Site Development Plan,” sheet OSD.1, dated 11-10-2021, “Proposed Sedimentation & Erosion Control Details,” sheet SES.1, “Proposed Sedimentation & Erosion Control Details #2,” sheet SES.2, “Proposed Main House Sanitary Disposal System Plan,” sheet SDS.1, “Proposed Guest House Sanitary Disposal System Plan,” sheet SDS.2, revision dated 11-05-2021, prepared for Premier Trust, Inc. by Arthur H. Howland & Associates, P.C., as well as the plan titled “Landscape Plans,” prepared for 157 Calhoun Street by Sea Green Horticulture, signed and dated by P. Szymanski, submitted with permit application signed by Paul Feldsher on behalf of Junction Trust, dated 8/27/2021 with accompanying documentation. 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, 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, and 4. the contractor will set up a preconstruction meeting with the Enforcement Officer in order to mark and identify any trees to be removed to the satisfaction of the Enforcement Officer. 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. Bennett, seconded by Ms. Audet, passed by 5-0 vote.

Sabin for Eisenmann-Wolf/41 Tinker Hill Rd/Application for Permit #IW-21-55/Move shed away from intermittent stream, stabilize surface drainage replace driveway, retaining walls, additional masonry walkway, walls and steps, and landscaping in review area (20:13):

Mr. Sabin was present to represent the property owner. He reviewed the revisions he made to the plan titled “Layout & Grading,” sheet L-1, revision date November 8, 2021, prepared for Eisenman-Wolff Residence by Sabin Landscape Architects, to address questions the IWC had from the 11-01-2021 site inspection. It was noted that he added more details to the construction sequence on sheet L-1 that includes silt fence and monitoring of any disturbed areas for two years, the two stock pile areas were added and the septic location was confirmed.

Mr. Sabin agreed that on the plan titled "Schedule, Notes and Details," sheet L-2, item #6 "Stone Lined Swale," the perforated swale pipe will be increased from 4" to 6".

Motion: To approve the application for Permit #IW-21-55, submitted by Sabin Landscape Architects for Eisenman-Wolf to move shed away from intermittent stream, stabilize surface drainage, replace driveway, retaining walls, addition masonry walkway, walls and steps, and landscaping in the review area at 41 Tinker Hill Road per plans titled "Layout and Grading" sheet L-1, revision dated November 8, 2021 and "Schedule, Notes and Details," sheet L-2 dated August 6, 2021, prepared for Eisenman-Wolf by Sabin Landscape Architects, submitted with permit application signed by Nicholas Eisenman and Elizabeth Wolf, dated 10-12-2021 with accompanying documentation. 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, 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, and 4. the contractor will set up a preconstruction meeting with the Enforcement Officer in order to mark and identify any trees to be removed to the satisfaction of the Enforcement Officer. 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. Bennett, seconded by Ms. Audet, passed by 5-0 vote.

New Applications to be Received by the Commission:

Gray-Lyons/62 Old Litchfield Rd/Application for Permit #IW-21-56/Renovated Existing Tennis Court in Review Area (29:00):

Mr. Sabin, Landscape Architect, was present to represent the property owners for this application. He explained how they are proposing to resurface the existing tennis courts of which ¼ of the footprint is within the wetlands review area. He stated that they would be accessing the courts via the existing wood road, a small excavator, roller and bobcat would be used. Mr. Sabin pointed out the limited area of disturbance and proposed silt fence on the plan titled "Tennis Court Restoration," dated October 26, 2021 prepared for Grey-Lyons Residence by Sabin Landscape Architects.

The IWC accepted this application.

Erben Partners/169-173 West Shore Rd/Application for Permit to Correct a Violation #IW-21-57/Clean up and restoration of dump site in wetlands (33:18):

Mr. Sabin was present to represent the property owners at 169-173 West Shore Rd. He reviewed the plan titled "Debris Removal," prepared for the Schwartz Residence, dated October 26, 2021, by Sabin Landscape Architects. He stated that he would be contacting the Town Highway Department to see if any of the material could be used on Tinker Hill Road. Mr. Sabin stated that after the debris is removed the area will be seeded with "no-mox" fescue.

The IWC accepted this application.

Perlman-Hanson/36 Hinkle Rd/Application for Permit #IW-21-58/Construction of driveway crossing wetlands and review area (36:30):

Mr. DiVesta of DiVesta Civil Engineering, LLC., was present to represent the property owners. He reviewed the plan titled, "Overall Site Plan," prepared for Perlman-Hanson Residence, by DiVesta Civil Engineering, LLC., sheet 1 of 7, revision dated 10-4-21.

Mr. Papsin explained that the IWC must consider if there are any feasible and prudent alternatives to the proposed plan. Commissioners stated concern that the proposed driveway would go over watercourses, wetlands and the review area when there is an existing driveway to access the property.

The IWC accepted this application and scheduled a site inspection for Tuesday, November 16, at 3 p.m.

Talbot/44 Bell Hill Rd/Application for Permit #IW-21-59/Dredging of pond (53:40):

The IWC accepted this application and scheduled a site inspection for Thursday, November 18 at 3 p.m.

Other Business:

Enforcement and Compliance Initiatives (58:30):

Ms. Haverstock updated the IWC on the following properties that were discussed at the last meeting and the progress that has been made up to this point. Please see attached report. Additional properties discussed:

- 6-16 West Mountain Road – Mr. Kassis has updated the Land Use Office. He is working on obtaining an engineer based upon the recommendations of the Natural Resources Conservation Services for the proposed farm pond.

Administrative Business:

Ms. White stated that she will be requesting more copies of the plans from applicants that submit more detailed applications so that the IWC member can review full size plans rather than try to review them on the computer.

Communications:

None to discuss

Adjournment:

Motion: To adjourn the meeting at 8:19 pm, by Mr. Papsin

Respectfully submitted,

Shelley White

Shelley White
Land Use Administrator
11-17-2021

Link to recording of meeting:

https://townofwashingtongcc-my.sharepoint.com/:u:/g/personal/swhite_washingtonct_org/EUWj8BHVHoJAmgQ8hrRDxCwB4Cl-uOmfcMZO7lpc6XnrlA?e=704CQF

Date: November 10, 2021	Site Inspection	Notes		
Friday October 22, 2021	78 Litchfield Turnpike	equipment movement on the site with significant mapped wetlands. Inspection on 10/22/21 with Chair - IW application with property owner to submit with actions taken at the site for clean up		
Tuesday November 9, 2021	274 Nettleton Hollow Road	House not demolished. Earth Tones Project in compliance with IWWC permit (including excavator)		
Tuesday November 9, 2021	280-284 Nettleton Hollow Road	IW-21-02 site inspection. Sediment and erosion control measures to specification on SD-1 Dated December 1, 2020 and approved on 1/27/21 for IW-21-02. Update and check in with site engineer re: soil and sediment erosion control measures Site driveway scheduled to be paved 11/16/21		
Tuesday November 9, 2021	Tompkins Property as described by site visit request	Property previously visited by B.P, S.W. and M.H. Site property is for sale. Property includes stream		
Dated	Citation	Property Owner	Address	Notes
Friday, August 27, 2021	2021-W001	Garcevic/DeVelasco	134 Roxbury Road	Removed trees in upland area of wetland Update: 9/30/21 - email sent re: fine and permit application. 10/7/21 email from Mr. Garcevic stating he will be moving forward with an A2 survey that includes wetlands Awaiting A2 survey
Friday, August 27, 2021	2021-W002	Dobson	255 New Milford Turnpike	Entered into and removed material from a watercourse without a permit email sent 9/22/21 to J Dobson. Reply on 9/22 of receipt. Certified Letter dated 10/6/21 requesting appeal of Citation #2021-W002 11/9/21 correspondence with Hearing Officer
Friday, August 27, 2021	2021-W003	Hunt	25 Juniper Meadow Road	Failed to comply with permit, scope of activities in permit, exceeded scope of activities in permit, failed to comply with construction practices in the permit, violated municipality's regulations// 9/17/21 call with Mr. Hunt for permit application with planting plan. 10/6 email from Mr. Hunt that he will be moving forward with permit and contact IWEO when complete as requested

Permit Date	Permit	Property Owner	Address	Notes
Thursday October 21, 2021 (receipt)	IW-21-53	Town of Washington	Tunnel Road Bridge	Tunnel Road Bridge over Shepaug River Presentation at 10/27/21 commission meeting
Thursday October 21, 2021 (receipt)	IW-21-54	The Premier Trust Inc	157 Calhoun Street	Site walk previously conducted by commission. Construction of a single familyguest house. Other improvements include boardwalk, temporary construction accessway, subsurface sewage disposal system for guest house and one for main house, grading, watercourse crossings and other related appurtenances.
Thursday October 27, 2021 (receipt)	IW-21-55	Nicholas Eiseenmann & Elizabeth Wolff	41 Tinker Hill Road	Site Inspection previously conducted by commission. Moving shed, drainage improvements, masonry and general landscaping Revisions submitted 11/8/21: added stockpile area, updated sequence of construction and added septic area
Wednesday November 10, 2021 (receipt-new application)	IW-21-56	Gray-Lyons	62 Old Litchfield Rd	Renovated existing tennis court in review area
Wednesday November 10, 2021 (receipt-new application)	IW-21-57	Erben Partners	169173 West Shore Rd	Clean up of restoration of dump site in wetlands
Wednesday November 10, 2021 (receipt-new application)	IW-21-58	Perlman-Hanson	36 Hinkle Road	Construction of driveway crossing wetlands and review area
Wednesday November 10, 2021 (receipt-new application)	IW-21-59	Talbot	44 Bell Hill Road	Dredging of pond
Certificate of Compliance Date	Permit	Property Owner	Address	Notes
Thursday September 30, 2021	IW-21-40	Adrianna Cohen	24 Sabbaday Lane	7/22/22 - Install a bridge