

Town of Washington
Inland Wetlands Commission
December 8, 2021
Regular Meeting
MINUTES

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

Staff Present: Ms. White, Ms. Haverstock

Public Present: Mr. Dismukes, Mr. Zorn, Mr. Larson, Mr. McTigue

Regular Business:

Mr. Papsin called the meeting to order at 7:05pm.

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

Consideration of the Minutes (00:16):

11-23-2021 Regular Meeting Minutes:

The following amendments were suggested:

Page 6, 1st paragraph, last sentence should read:

This application was accepted as complete. ~~by the IWC and the~~

Motion: To approve the Regular Meeting Minutes of 11-23-2021 as amended, by Mr. Bennett, seconded by Ms. Audet, passed by 5-0 vote.

Special Meeting Minutes: 11-30-2021 Site Inspection Report –22 Golf Links Rd/Permit #IW-21-60 submitted by J. Audet:

Motion: To approve the Special Meeting Minutes – 11-30-2021 Site Inspection Report – 22 Golf Links Rd – Application for Permit #IW-21-60 written by Ms. Audet, by Mr. Bennett, seconded by Mr. Gendron, passed by 5-0 vote.

Special Meeting Minutes: 11-30-2021 Site Inspection Report –157 Calhoun St/Permit #IW-21-63 submitted by S. Branson:

Motion: To approve the Special Meeting Minutes – 11-30-2021 Site Inspection Report - 157 Calhoun Street - Application for Permit #IW-21-63, written by Ms. Branson, by Mr. Gendron, seconded by Mr. Bennett, passed by 5-0 vote.

Subsequent Business:

None added

Pending Applications:

Perlman-Hanson/36 Hinkle Rd/Application for Permit #IW-21-58/Construction of driveway crossing wetlands and review area (2:13):

The applicant requested a continuance to the January 12, 2022 regularly scheduled meeting.

Members Seated: Mr. Papsin, Mr. Bennett, Ms. Audet, Ms. Branson, Mr. Koppel (for Mr. Gendron)

Lake Waramaug Country Club/22 Golf Links Rd/Application for Permit #IW-21-60/Construction work up-gradient of the URA (3:17):

Mr. Dismukes, P.E. and Mr. Zorn were present to represent Lake Waramaug Country Club. Mr. Dismukes noted that construction stock pile areas, a detail of the specific seeding/planting mix along with an annual maintenance plan, and the construction sequence including equipment to be used were added to plans. He confirmed that the courts will be an impermeable surface.

There were no further questions or comments.

Motion: To approve application for Permit #IW-21-60, submitted by Lake Waramaug Country Club at 22 Golf Links Road per plans titled "Site Plan – Multi-Sports Court Complex," sheet 1 of 4, "Utilities Plan," sheet 2 of 4 "Drainage and S & E Details," sheets 3 of 4 and 4 of 4, prepared for Lake Waramaug Country Club by Jason Dismukes Consulting Engineers, LLC, original date of 10-29-2021 with revision dates of 12-1-2021, with permit application signed by Todd Zorn, dated 11/12/2021 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. 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. Branson, passed by 5-0 vote.

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

Woodco/78 Litchfield Turnpike/Application for Permit #IW-21-61/Removal debris, scrap metal, old machines (10:24):

Mr. Papsin noted that this was a pretty straight forward application. He reminded the IWC that he and Ms. Haverstock visited the site and he had no further questions or concerns.

Motion: To approve the Application for Permit #IW-21-61, submitted by Woodco, LLC. at 78 Litchfield Turnpike per map hand labeled "Approx. Locations," dated 11-16-21 and copy of survey dated February 1990 with hand drawn "Approx. Areas of Disturbance-11/07" dated 12/8/2021 by the IWC, submitted with permit application signed by Sean Woodward 10-25-2021 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, 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. Bennett, seconded by Mr. Gendron, passed by 5-0 vote.

Steep Rock Association/138-149 Church Hill Rd/Application for Permit #IW-21-62/Phragmites Management (14:53):

Mr. Larson, Conservation Science Manager of Steep Rock, was present to discuss this application. He explained that SRA has hired All Habitat Services to work with them. They plan to mow the stand of phragmites, hand trim near the more sensitive areas to reduce the biomass, and then the herbicide will be selectively applied in June and September of 2022. He noted that the application of herbicide will need to be applied for three consecutive years. Mr. Larson said he did not think there would be a need to change the herbicide mid treatment but he agreed to inform the IWC beforehand if they proposed to do so.

Motion: To approve the application for Permit #IW-21-62, submitted by Steep Rock Association at 138 and 149 Church Hill Rd per the plan titled "Fenn Hill Phragmites Management," no date, prepared for Steep Rock Association by Rory Larson, submitted with permit application signed by Steep Rock Association and Barbara Carey, dated 11-16-21, 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 IWC will be notified if a change of herbicide other than Polaris will be used. 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. Branson, passed by 5-0 vote.

Members Seated: Mr. Papsin, Mr. Bennett, Ms. Audet, Ms. Branson, Mr. Koppel (for Mr. Gendron)

The Premier Trust, Inc/157 Calhoun St/Application for Permit #IW-21-63/Construct pool decking within review area (26:00):

Mr. McTigue, Arthur Howland & Associates, was present to represent the property owners for this application. He reviewed the additions/revisions made to the "Proposed Pool Site Development Plan," sheet SD.2, revised 12-1-2021. A note was added to the plan regarding the seasonal pool pump off stating that the pool company will haul the water from the annual pump down off site and that "no disposal will be permitted unless otherwise approved." The Construction Notes and Sequence for Construction include the type of equipment that will be used as a rubber track mini excavator, triaxle dump truck and a backhoe.

The IWC asked about the retaining wall proposed on the plan. Mr. McTigue stated that the wall will be designed by another engineer but has not been done at this time. The new location of the pool equipment is indicated on sheet SD.2. He added that a revised landscape plan was submitted with a complete plant list. Mr. McTigue informed the IWC that the property owner is going to try to save the tulip tree and possible move the birch tree.

The IWC noted that the applicant would have to apply for a Modification to the Inland Wetlands Permit if there were a change in the planting and relocation of trees.

The IWC requested that the plan (sheet SD.2) be revised by labeling the proposed deck as wood and that all debris from the construction of the pool, and from tree removal, as well as the trapped sediment along the silt fence shall be hauled off-site. Additionally, a annual letter from the pool company, prior to winterizing, shall be sent to the Land Use Office to confirm that the pumped out water will be hauled off-site. Mr. McTigue agreed that a dated Landscape Plan shall be submitted to the Land Use Office.

Motion: To approve the application for Permit #IW-21-63, submitted by A. H. Howland for Premier Trust for activity within the Review Area: to construct a pool with wooden deck, grading, and install fence at 157 Calhoun Street per plans titled "Proposed Pool Site Development Plan," sheet SD.2, dated 11-18-2021 with a revision date of 12-01-2021, 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, sheet L-101, with a hand written date of December 8, 2021, submitted with permit application signed by Premier Trust, dated 11-12-2021 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, 4. the retaining walls indicated on plan SD.2 are NOT part of this permit and must be applied for separately, 5. applicant must provide confirmation from pool maintenance company that excess water from winterizing the pool is hauled off site, 6. debris from tree removal and silt fence maintenance shall be hauled off site and 7. the pool deck on "Proposed Pool Site Development Plan," sheet SD.2, shall be labeled wooden pool deck. 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. Branson, passed by 5-0 vote.

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

New Applications to be Received by the Commission:

There were no new applications to discuss.

Other Business (45:30):

The IWC discussed the need to enforce receiving application submissions at a reasonable time ahead of the next regularly scheduled meeting in order to allow review from both the Land Use Office and the Commissioners.

It was noted that Section **9.01** states: “Except as provided in Section 13 of these Regulations, all petitions, applications for regulated activities or to correct violations, applications to modify approved permits, and requests to renew or transfer approved permits shall be submitted to the IWC by 5:00 p.m. the day before the next regularly scheduled meeting to be accepted by the IWC at that meeting. However, applicants are urged to submit their applications and written requests well ahead of such meetings to allow IWC staff to check them for completeness and, if necessary, to allow applicants time to submit missing information.”

The IWC agreed that if applications were submitted at 5:00 p.m. the day before a scheduled meeting that the Land Use Administrator would not have time to review it for completeness and the commissioners would not have time to review it before the meeting.

Additionally, it was noted that the Inland Wetlands Permit Application states: “Applications must be complete* and submitted to the Land Use Office no later than 7 calendar days before the next regular scheduled meeting to allow sufficient time for administrative, public, and commissioner review. The application will be considered at the next regularly scheduled meeting. **Complete** applications submitted to the Land Use Office later than the specified deadline for that meeting, may be added to the agenda at the discretion of the Commission. Consideration of late applications will await preliminary review by the administrative staff as time permits. The schedule of meetings and times is posted at the Town Hall and at www.WashingtonCt.org.”

The IWC requested that the requirement to submit applications 7 calendar days before the next meeting be noted on the Inland Wetlands Commission page of the Town Website. The Commissioners agreed that applications that are submitted past the 7 calendar day requirement will not be included on the next meeting’s agenda.

Enforcement and Compliance Initiatives (58:20):

Ms. Haverstock reviewed her 12-07-2021 Enforcement Report including properties that were discussed at the last meeting and the progress that has been made up to this point. Please see attached report.

- 4 New Preston Hill – Ms. Haverstock will be reviewing the existing Inland Wetland files to ensure that everything is in compliance.

No additional properties discussed.

Administrative Business:

None to discuss

Communications:

None to discuss

Adjournment:

Motion: To adjourn the meeting at 8:10 pm, by Mr. Papsin

Respectfully submitted,

Shelley White

Shelley White
Land Use Administrator
12-15-2021

Attachment
A. EO Report 12-07-2021

Link to recording of meeting:

https://townofwashingtoncc-my.sharepoint.com/:u:/g/personal/swhite_washingtonct_org/Een5YNFE4cFAugLD4wU8-W4BobKxrgjMTxMRK-Gs3Lz8gA?e=ah41qp

Permit Date	Permit	Property Owner	Address	Notes
Wednesday November 10, 2021 (receipt-new application) 11/23/21 start card visit	IW-21-58	Perlman-Hanson	36 Hinkle Road	Construction of driveway crossing wetlands and review area pending/on hold for new plans. 11/23/21: Scheduled start site inspection for sediment and erosion control measures for house demolition renovation. Inspection completed, silt fences installed beyond required measures, photos taken.
Monday October 18, 2021	IW-21-52	Steep Rock Association	Between SR1 and SR2 (185 Tunnel Road)	Eagle Scout bridge rebuild projectIn lieu of a start card, Julie McKay called to say they will begin work on the the footbridge between SR1 and SR2 at Steep Rock on this Saturday, 11-13-2021. It will be supervised by Mike Giaponni, Trail Manager of Steep Rock Association. Pictures will be taken and submitted to us for the record. Photos submitted on 11/29/21 of finished project.
August 20, 2021	IW-21-45	MFINN2013,LLC	118 Woodbury Road	Dredge silt pond, Start card check on 12/6/21
Date	Site Inspection	Notes beyond files		
Friday November 19, 2021	254-258 New Milford Turnpike	Review of permit and current activity 12/1/21 meeting with property owner regarding project scope and potential permits		
Wednesday November 24, 2021	4 New Preston Hill	Review property and construction. Review combination of property with residential and business split district. Review new business regulations as applies to 4 New Preston Hill Initial site visit on 11/24/21.		
Wednesday November 24, 2021	9 Main, New Preston	Stone wall construction/previously met with LUO to ensure compliance		
Certificate of Compliance Date	Permit	Property Owner	Address	Notes
Tuesday December 7, 2021	IW-21-52	Steep Rock Association	Between SR1 & SR2 (185 Tunnel Road)	Installation of footbridge