

Town of Washington
Inland Wetlands Commission
January 12, 2022
Regular Meeting
(Via Zoom Teleconference)
MINUTES

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

Members Absent: Mr. Bennett,

Staff Present: Ms. White, Ms. Haverstock

Public Present: Mr. DiVesta, Mr. LaGuardia, Mr. Horvath, Mr. McTigue, Ms. Wright

Regular Business

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

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

Consideration of the Minutes (01:51)

12-08-2021 Regular Meeting Minutes:

Motion: To approve the Regular Meeting Minutes of 12-8-2021 as submitted, by Mr. Bennett, seconded by Ms. Audet, passed by 5-0 vote.

Motion to Include Subsequent Business Not Already Posted on the Agenda:

None to add

Pending Applications

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

Perlman- Hanson/36 Hinkle Rd/Application for Permit #IW-21-58/Construction of Driveway Crossing Wetlands and Review Area (02:46):

Mr. DiVesta from DiVesta Civil Engineering, LLC., Mr. Horvath and Mr. LaGuardia of LaGuardia Design were present to represent the property owners for this application.

Mr. DiVesta shared the "Overall Site Plan, "sheet 1 of 7, "Proposed Site Development Plan," sheet 2 of 7, "Proposed Site Development Plan," sheet 3 of 7, "Proposed Site Development Plan," 4 of 7, "Proposed Site Development Plan," sheet 5 of 7, "Details," sheet 6 of 7, and "Details," sheet 7 of 7, prepared for Perlman-Hanson Residence by DiVesta Civil Engineering, LLC., with revision date of 01/04/2022.

Mr. DiVesta noted that the IWC walked the previous design of the driveway, and talked about the impacts, to the wetlands. As a result, this alternative plan was submitted which changes the location of the driveway as well as add of 12' open bottom culverts under the driveway that will allow the intermittent water course to flow freely underneath the driveway for the crossing of the wetlands. He informed the IWC that they have spoken to the precast company and they will be providing preliminary plans of the culverts that will be designed by a structural engineer. Mr. DiVesta noted the trees that will remain and indicated

on the plan in green. He referred to the plan showing that the proposed grading on the westerly portion of the driveway will be mild.

Mr. Horvath from LaGuardia Design addressed the proposed mitigation plan to remove the invasive species through the Upland View area. The plan titled "Site Plan," sheet L2.1 prepared for 36 Hinkle Drive, by LaGuardia Design Group, dated 12-17-2021 was shared to the screen. He noted that they are proposing naturalistic landscaping to create an edge along the driveway that will look like it has always been there. Only native species are proposed, large size specimens will be used to create a 20-foot buffer.

Mr. Papsin asked what time of year the box culverts would be installed and what type of mitigation measures would be used at the time of the installation.

Mr. DiVesta responded that it would be done during the dry season and that they will use waddles across the wetlands on the downhill side and bring the silt fence up to the waddle. He stated that there should not be any flow in the watercourse at the time of the late spring or late summer. They would use this method at the second crossing as well.

Another area of the IWC's concern was the easterly side of the property by the pond. Mr. DiVesta explained that they pushed the proposed driveway slightly further to the east and are still proposing a dry boulder wall to provide an edging along the driveway. They are proposing a super silt fence which is a silt fence backed with a wooden snow fence on the western side of this proposed dry stack boulder wall to provide protection from any construction along that area.

Mr. DiVesta addressed the replacement of the deteriorated culvert under the existing driveway and the installation of utilities going to the main house underneath the brook. They plan to dam up the pond with a temporary sandbag dam and would replace the culvert on the driveway and do the crossing with the utility line at the same time. He noted that this area will be restored back to its natural condition. Mr. DiVesta stated that the dewatering remains on the plan in case they should need it but he did not think it would be necessary.

The IWC revisited the planting plan to review the 10-foot-wide area where the utilities will be installed underground. Mr. Horvath explained that they will be planting woody shrubs with native ground covers underneath. He explained that the grapevines are very aggressive and the forester recommended to get rid of them in lieu of all the natives that are proposed to be planted. It was noted that the smaller caliper wolf trees would be removed so they would not compete with the older trees.

There was a brief discussion regarding the pond. Mr. DiVesta stated that there is no inlet to the pond and he feels that it is a groundwater pond.

There was a brief discussion regarding the design of the box culverts and when they should be installed. The IWC agreed that they would like to see the design of the box culverts before the installation, that the WEO is present for the installation and that the installation take place in July or August when there is no running water.

The IWC had no further questions.

Motion: To approve application for Permit #IW-21-58, submitted by Perlman-Hanson at 36 Hinkle Road per: 1. Plans titled "Site Plan," sheet L2.1 prepared for 36 Hinkle Drive, by LaGuardia Design Group, dated 12-17-2021 and "Overall Site Plan," sheet 1 of 7, "Proposed Site Development Plan," sheet 2 of 7, "Proposed Site Development Plan," sheet 3 of 7, "Proposed Site Development Plan," sheet 4 of 7, "Proposed Site Development Plan," sheet 5 of 7, "Details," sheet 6 of 7, and "Details," sheet 7 of 7, prepared for Perlman-Hanson Residence by DiVesta Civil Engineering, LLC., with revision date of 01/04/2022, 2. Letter dated 12/20/2021 from Yankee Custom Builders regarding the Construction Sequencing, 3. Letter with revision date of 12/21/2021 from Branson Forestry regarding Forest Management Plan, 4. Letter dated 7/20/2021 from Steep Rock Association, Inc. regarding Conservation Easement, and 5. Permit application signed by Ellen Hanson and Perlman, dated 10/30/2021 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, 4. A Preconstruction meeting shall be held with the WEO with the project manager prior to commencement of construction, 5. That information be submitted to the IWC on the box culverts prior to commencement of construction and installation, 6. that the ZEO is to be present at the beginning of the culvert box installation, and 7. The box culverts shall be installed either in July or August during the dry season. 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. Audet, seconded by Mr. Gendron, passed by 5-0 vote.

New Applications to be Received by The Commission

Seated: Papsin, Branson, Gendron, Audet, Bogue (for Bennett)

A.H. Howland for Angelo/82 Baldwin Hill Rd/Application for Permit #IW-22-01/Construction of Single Family Dwelling, Detached Garage and Install Septic w/in Review Area (36:48):

Mr. McTigue from Arthur Howland & Associates was present to represent the property owners. He stated that this application is construct a new house, rebuild the detached garage in the existing footprint and install a new septic system.

The IWC accepted this application and scheduled a Site Inspection for Wednesday, January 19, 2022, at 3:30 p.m.

A.H. Howland for Premier Trust/157 Calhoun St/Application to Modify Approved Permit #IW-21-54/to increase the footprint of the proposed guest house (38:48):

Mr. McTigue was present to represent the property owners for this application. He explained that they are proposing an increase the guest house from 778 sq. ft. to 1110 sq. ft. The footprint of 36'x 36' will include a deck. He noted that there will be no change to the previously approved septic or area of disturbance.

It was noted that the guest house is not within wetlands or the review area. Mr. McTigue confirmed that the structure will still be built on piers.

Motion: To approve the request for a Modification to Permit #IW-21-54, submitted by A. H. Howland for Premier Trust at 157 Calhoun Street, to increase the footprint of the proposed guest house per plans titled, "Proposed Overall Site Development Plan," sheet OSD.1, with revision date of 12-20-2021, "Proposed Guest House Sanitary Disposal System Plan," sheet SDS.2, revision dated 12-20-2021 "Proposed Sedimentation & Erosion Control Details," with revision date of 11/5/2021, prepared for Premier Trust, Inc. by Arthur H. Howland & Associates, P.C., as well as the submitted with Modification of an Approved Permit application signed by Paul Feldsher on behalf of Junction Trust, dated 1-6-22 with accompanying documentation. This permit is valid for two (2) years from the original date of approval and is subject to the all of the original conditions of Permit #IW-21-54. 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. Audet, passed by 5-0 vote.

A.H. Howland for Premier Trust/157 Calhoun St/Application to Modify Approved Permit #IW-21-63/to relocate pool, pool deck and add freestanding spa (46:10):

Mr. McTigue was present to represent the property owners for this application. The property owners are proposing to relocate the pool closer to the house and further from the wetlands. The proposed saltwater lap pool will be 10' x 54' and will have a wood deck. He noted that placing the pool in this location will allow the property owners to use the existing septic system and not require the removal of any trees. A freestanding hot tub will be located on the eastern side of the residence outside the walkout basement. The plan titled, "Proposed Pool Site Development Plan," by A. H. Howland with a revision date of 01-07-2022 shows that pool equipment is being located at the eastern side of the existing two story garage and the spa equipment will be located at the eastern side of the existing two story framed dwelling.

The IWC agreed that this was a more thoughtful plan and had no further questions.

Motion: To approve the request for a Modification to Permit #IW-21-63, submitted by A. H. Howland for Premier Trust at 157 Calhoun Street to relocate pool and pool deck further away from wetlands and add freestanding spa per plans titled "Proposed Pool Site Development Plan," sheet SD.2, with a revision date of 1-7-22, 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, dated December 8, 2021, with handwritten date of 1-6-22 as well as the submitted Modification of Approved Permit application signed by Paul Feldsher on behalf of Premier Trust, dated 1-6-2022 with accompanying documentation. This permit is valid for two (2) years from the original date of approval and is subject to the all of the original conditions of Permit #IW-21-63. 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. Audet, seconded by Mr. Gendron, passed by 5-0 vote.

Other Business

Election of Officers (52:30):

Ms. Branson nominated Mr. Papsin as Chairman of the Inland Wetlands Commission, Ms. Bogue, seconded, passed unanimously.

Ms. Branson nominated Mr. Bennett as Vice Chairman of the Inland Wetlands Commission, Ms. Audet seconded, passed unanimously.

Enforcement and Compliance Initiatives (53:48):

Ms. Haverstock reviewed her 01-12-2022 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 – It was noted that a shed was built behind the main building by the river. Ms. Haverstock stated that she will review the file to see if that was part of the permit for this property.

Administrative Business:

None to discuss

Communications:

None to discuss

Adjournment:

Motion: To adjourn the meeting at 8:11 pm, by Mr. Papsin

Respectfully submitted,

Shelley White

Shelley White
Land Use Administrator
1-19-2022

Attachment
A. EO Report 1-12-2022

Link to recording of meeting:

https://townofwashingtoncc-my.sharepoint.com/:u:/g/personal/swhite_washingtonct_org/EQyBvIj_xNhCpUoeIJSAsoBbKrdjFGrAE6oFR-DOO64HA?e=ApkLhZ

Dated	Citation	Address	Notes
August 27, 2021 (no change)	2021-W001	134 Roxbury Road	Removed trees in upland area of wetland Update: 9/30/21 - email sent re: fine and permit application. Fine paid. 10/7/21 email from Mr. Garcevik stating he will be moving forward with an A2 survey that includes wetlands Awaitig A2 survey
Friday, August 27, 2021	2021-W002	255 New Milford Turnpike	Entered into and removed material from a watercourse without a permit email sent 9/22/21 to property owner. 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 12/2/21 hearing date sent Hearing closed, owner agreed to pay the penalty. Fine Paid 01/11/22. Additional activity on site.
August 27, 2021 (no change)	2021-W003	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. Fine paid 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
Wednesday, December 15, 2021	2021-W004	Intersection at Mygatt	Soil and materials deposited in URA. Material Removed, area hayed, fine paid.
Tuesday December 28, 2021	2021-W005	254-8 New Milford Turnpike	Removing and building fencing in URA without a permit. Activity ceased, fine paid, completing full site application for review.
Date	Site Inspection	Notes	
Thursday December 9, 2021	Kirby Brook, Wyk back entrance to Mayflower	Concern for tree cutting in URA.	
Thursday December 9, 2021	4 New Preston Hill Road	Stone wall work/inspection - letter sent to property owner regarding regulations and as-built at conclusion of project. Letter with application for modification to IWWC permit to add stone wall to the IWWC permit application	
Thursday January 6, 2022	181 West Shore Road	Concern for stormwater runoff.	
Thursday January 6, 2022	255 New Milford Turnpike	Inspect activity reported at the property.	